

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF FEBRUARY 24, 2006

(Published March 4, 2006, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

February 24, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Gordon, Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels, President Johnson.

Absent - Council Member Colvin Roy.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 2/24/06.

Absent - Colvin Roy.

Lilligren moved acceptance of the minutes of the regular meeting held February 10, 2006. Seconded.

Adopted upon a voice vote 2/24/06.

Absent - Colvin Roy.

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

Adopted upon a voice vote 2/24/06.

Absent – Colvin Roy.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270991)

Citizen Participation Program Guidelines.

Land Sales:

2704 & 2706-14th Ave S to Chris Aimua & Associates, Inc;

3028-19th Ave S to Jesse Lee.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270992)

Mpls Common Bond Fund: Report on upgrading of CBF from Standard & Poor's rating of "A minus" to "A plus".

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270993)

Neighborhood Revitalization Program: Ordinance amending Title 16, Chapter 419, incorporating the adopted policy on NRP income as part of the NRP ordinance.

Humboldt Industrial Park (re 10-acre parcel of land in northwest corner of Canadian Pacific Railroad's Humboldt Yards): Humboldt Industrial Park Redevelopment Plan & Tax Increment Financing Plan, with related actions for development of an industrial park.

Grand Avenue Cooperative: Approval of write-off of loan.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (270994)

NRP Phase II Neighborhood Action Plans: Bryn Mawr; Elliot Park.

HEALTH, ENERGY AND ENVIRONMENT:

CIVIL RIGHTS (270995)

Latino Advisory Committee to Mayor and City Council: Status Update Report.

HEALTH AND FAMILY SUPPORT SERVICES (270996)

Public Health Emergency Preparedness: Quarterly Update Report.

REGULATORY SERVICES (270997)

Air Quality Badge Monitoring Study.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

MAYOR (270998)

Civilian Police Review Authority: Concur with Mayor's recommendation to appoint Michael Weinbeck, Ward 10, as Chair, for a term to expire December 31, 2007.

HEALTH, ENERGY AND ENVIRONMENT and PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

CIVIL RIGHTS (270999)

Civilian Police Review Authority - Study of Policy and Process: Power Point Presentation; and Authorize establish a working group to be responsible for addressing outstanding issues, incorporating items "a" through "g" on Pages 126 through 130 of the Police and Process Report, and to include looking at the other recommendations of the report, with a report back with a work plan and timeline to the HE&E and PS&RS Committees in the near future.

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

HEALTH AND FAMILY SUPPORT SERVICES (271000)

Prevention Approach to Violence: Authorize Minneapolis work with community foundations to co-sponsor a community dialogue with the goals of identifying key components of violence prevention activities, and developing indicators to measure progress.

Phillips Weed and Seed: Execute amendment #1 to contract with Minnesota Department of Public Safety to extend the termination date of 2005 Weed and Seed contract through May 31, 2006.

INTERGOVERNMENTAL RELATIONS:

GRANTS AND SPECIAL PROJECTS (271001)

2005 Annual Report.

INTERGOVERNMENTAL RELATIONS (See Rep):

INTERGOVERNMENTAL RELATIONS (271002)
FY2007 Federal Agenda for the City of Mpls.

**INTERGOVERNMENTAL RELATIONS and PUBLIC SAFETY AND REGULATORY SERVICES
(See Rep):**

INTERGOVERNMENTAL RELATIONS (271003)
Criminal Justice Coordinating Committee 2006 Legislative Agenda.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (271004)
Chapter 249 Property at 2813 15th Av S: Authorize demolition of property.

INSPECTIONS DEPARTMENT (271005)
Chapter 249 Property at 2915 3rd St N: Authorize owner rehabilitate property, subject to conditions.

INSPECTIONS DEPARTMENT (271006)
Chapter 249 Property at 3539 Fremont Av N: Authorize demolition of property.

INSPECTIONS DEPARTMENT (271007)
Rental Dwelling License at 3121 Cedar Av: Concur with Director of Inspections to reinstate license to be held by Vishnu Laita.
Rental Dwelling License at 1045 24th Av SE: Concur with Rental License Board of Appeals to revoke license held by Mei Jen Chen due to substandard conditions.

LICENSES AND CONSUMER SERVICES (271008)
Joe's Garage Restaurant (1610 Harmon Pl): Grant On-Sale Liquor Class A with Sunday Sales License, subject to prohibiting Adult Entertainment.
Zeno Cafe (2919 Hennepin Av): Grant On-Sale Liquor Class C-1 with Sunday Sales License (change in owner), subject to conditions.
Licenses: Applications.

POLICE DEPARTMENT (271009)
Conductive Energy Devices (tasers): OP #6530, accept low bid meeting specifications of Uniforms Unlimited for furnishing tasers to Police Department.

**PUBLIC SAFETY AND REGULATORY SERVICES and TRANSPORTATION AND PUBLIC WORKS
(See Rep):**

SENIOR OMBUDSMAN (271012.1)
Special Assessment Deferment Application: Approve application regarding property located at 1000 Thomas Ave N.

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

FIRE DEPARTMENT (271010)
2005 United States Department of Homeland Security Emergency Management Performance Grant: Accept award of \$40,067.42 for Fire Department efforts in 2005; and Passage of Resolution approving appropriation.
Smoking Cessation: Execute third agreement with QUITPLAN to display their logo and stop smoking message on six of Fire Department's highest use engines, and continue to display their logo and short message on the rear canvas hose cover on six engines; Approve receive of payment of \$32,130; and Approve appropriation.

TRANSPORTATION AND PUBLIC WORKS:

XCEL ENERGY/NSP (271011)

Utility Pole: Install 1 new 45' pole for new service at 619 8th St SE, S.R. #467511.

Utility Pole: install 1 new 35'5 pole to relocate street light at 619 8th St SE, W.O. #10755748.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271012)

Data Sharing Agreement: Extend existing Electronic Data Sharing Agreement with Hennepin County for one year.

Potential Rezoning: Authorize the filing of a rezoning application to change Second Police Precinct Property, 1911 Central Av NE, from C1 to C2.

Park Av Bridge: Approve Hennepin County bridge reconstruction and enter into a joint City/County Cooperative Agreement.

Portland Av Bridge: Approve Hennepin County bridge reconstruction and enter into a joint City/County Cooperative Agreement.

Special Assessment Deferment Applications: Approve applications regarding properties located at 1642 Upton Av N, 2322 Aldrich Av N.

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

PUBLIC WORKS AND ENGINEERING (271013)

Lake Street Reconstruction and Streetscape (Hiawatha Av to W River Rd) Project No. 6709: Authorize: a) City Engineer to proceed with work and adopt special assessments and request Board of Estimate and Taxation to issue and sell assessment bonds for the reconstruction project; b) City Engineer to proceed with work and adopt special assessments and request Board of Estimate and Taxation to issue and sell assessment bonds for the streetscape project; c) Preliminary approval of area as Street Lighting District No. 1323; and d) City Engineer to abandon and remove areaways in conflict with the projects; Comments.

Fridley Water Facility: Approve change order and extend project completion date.

Miscellaneous I-35W Frontage Road Reconstruction Project No. 9761: a) Approve 2006-2010 Capital Improvement appropriation of \$900,000; b) designate locations and improvements; c) Receive cost estimate and list of benefited properties, and direct City Engineer to prepare proposed assessments against the benefited properties; and d) Set public hearing for 4/4/06.

Bids: Accept: a) OP #6548, low bid of Cutler Mager Company to furnish quick lime; b) OP #6550, low bid of Fischer Sand and Aggregate Company to furnish fine aggregate; and c) OP #6551, low bid of Martin Marietta Aggregates to furnish gray/black aggregate.

WAYS AND MEANS BUDGET See Rep):

BUSINESS INFORMATION SERVICES (BIS) (271014)

Minneapolis Wireless Broadband Initiative: a) Approve Business Case to pursue a private-public partnership; b) Authorize staff to implement the pilot phase with two RFP finalists, Earthlink and U.S. Internet; and c) Authorize staff to negotiate a contract for Broadband IP Data Access Services with one or both of the RFP finalists and to return to Council for final approval.

COMMUNICATIONS (271015)

Minnesota Telecommunications Network (MTN) Contract: Authorize contract extension through December 31, 2006.

COMMUNICATIONS - MEDIA SERVICES (271016)

Minneapolis Telecommunications Network (MTN) Board of Directors: Reappointment of Marido Huber (Ward 1), and Tamir Nolley (Ward 9) terms to expire 1/15/10.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271017)

Empowerment Zone Governance Board North Minneapolis Community Transformation Initiative
Request for Proposals: Approve \$350,000 from federal EZ grant to execute contracts with
sub-recipients.

Community Engagement and Organizational Capacity: Passage of Resolution.

CONVENTION CENTER & PURCHASING (271018)

Convention Center HVAC systems: Acceptance of responsive bid of Honeywell Building Solutions
to provide a preventative maintenance program and ongoing repairs.

COORDINATOR (271019)

Greater Minneapolis Convention & Visitors Association (GMCVA): Authorize negotiations and
contract of a third loan (line of credit) in an amount not to exceed \$5 million to GMCVA to provide
additional start up capital for its wholly-owned subsidiary, iDSS, for marketing software development.

FINANCE DEPARTMENT (271020)

2007-2011 Capital Process & Capital Long-Range Improvements Committee (CLIC): 2006 CLIC
Schedule; 2006 Capital Guidelines; and Provision of tax supported resource direction to CLIC, city
departments, independent boards & commissions.

INTERGOVERNMENTAL RELATIONS (271021)

2006 Consolidated Plan Budget Amendment - Reflection of Official HUD Awards: Amend the
approved CDBG funding schedule to be reflective of percentage cuts with respect to individual
Consolidated Plan grants/programs.

REGULATORY SERVICES (271022)

Plumbing Inspector, Construction Inspection Services: Hire Brad Dvorak at Step 8.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (271023)

Appeals: St. Anthony Mill, LLC (re Pillsbury "A" Mill Project, 400 2nd St SE, 100 3rd Ave SE, 413
Main St SE, 425 Main St SE, 501 Main St SE, 199 Main St SE, 30 2nd St SE, 113 6th Ave SE): re
decision of the HPC denying Certificates of Appropriateness;

Bluff Street Development, LLC, (re Pillsbury "A" Mill Project, 400 2nd St SE, 100 3rd Ave SE, 413
Main St SE, 425 Main St SE, 501 Main St SE, 199 Main St SE, 30 2nd St SE, 113 6th Ave SE): re
decision of the HPC approving Certificates of Appropriateness for St. Anthony Mill, LLC.

Text Amendment. Ordinance amending Title 23, Chapter 599 to add a HPC fee schedule & related
regulations for applications relating to the HPC.

PLANNING COMMISSION/DEPARTMENT (271024)

Vacations: Dunwoody College of Technology (vicinity of Laurel Ave W, Colfax, Ontario, and Dupont
Aves N): rights-of-ways for parking and landscaping.

Rezoning: Star Machine and Tool and Mibellie, LLC (624 2nd Ave SE, 218 1/2 7th St SE, 215 6th
St SE).

Zoning Code Text Amendment: Ordinance amending Title 20, Chapter 525, to increase fees for
reinspections, land use application appeals.

PLANNING COMMISSION:

Carol Sitarz (271025)

Permission to vacate the northern part of dead end alley from 19th Ave between Stinson Pkwy &
Coolidge. The 32 feet from property line and bordered by lots 16 & 13. To combine and enhance the
value and usability of the other property (lots 16 & 13). Future use of the land: to Continue to maintain
and upkeep the property which has been done since 1948.

Cedar and Lake, LLC (271026)

Permission to vacate alley between 624 and 640 E Lake St to make way for gas station &
convenience store.

Cornell L. Moore (271027)

Permission to vacate alley between 4700-4712 Longfellow Ave and 4705-4715 Cedar Ave S (Lots
1-9 and 22-30, Block 13, Cedar Avenue Park, Minneapolis, MN) for an addition to an existing office
building.

The following reports were signed by Mayor Rybak on February 28, 2006, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

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

Comm Dev – Your Committee recommends approval of the Department of Community Planning & Economic Development’s Citizen Participation Program Guidelines, as set forth in Petn No 270991.

Lilligren moved to amend paragraph three of the Citizen Participation Program guidelines in Petn No 270991 by deleting the language, “members of the community, including all” in the following paragraph: “3. Ensure that membership is open to all members of the community, including all residents of the geographically defined neighborhood with no barriers to participation or membership (such as membership dues, requiring attendance at a certain number of meetings before voting rights are conferred, etc.). (Please note: In the past, this criterion was tempered by some provisions of the State non-profit law. That law, however, has been amended to relax these tempering provisions. CPED, therefore, intends to ensure that neighborhood groups fully comply with this criterion. Groups should review their bylaws for compliance.)” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 2/24/06.

Absent – Colvin Roy.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2704 and 2706 – 14th Ave S to Chris Aimua & Associates, Inc for \$40,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

If Chris Aimua & Associates, Inc fails to close, authorization is given for sale of said property to Powderhorn Community Council for \$40,000 under the same conditions as listed above.

Adopted 2/24/06.

Absent – Colvin Roy.

Resolution 2006R-068, authorizing sale of land Model Cities Disposition Parcel No MC 206-31 & 32 (2704-06 – 14th Ave S), was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-068

By Goodman

Authorizing sale of land Model Cities Disposition Parcel No MC 206-31 & 32 (2704-06 – 14th Avenue South).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel MC 206-31 & 32, in the Midtown Phillips neighborhood, from Chris Aimua & Associates, Inc., hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MC 206-31 & 32, from Powderhorn Community Council hereinafter known as the Alternate Redeveloper, the Parcel MC 206-31 & 32, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of MC 206-31 & 32; 2704-06 14th Avenue South: Lots 2 and 3, Slaffer's Rearrangement of Block 4, Wrights Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$40,000, for Parcel MC 206-31 & 32 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$40,000 for Parcel MC 206-31 & 32 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on February 3, 2006, a public hearing on the proposed sale was duly held on February 14, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Model Cities plan, as amended, is hereby estimated to be the sum of \$40,000 for Parcel MC 206-31 & 32.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

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

Adopted 2/24/06.

Absent – Colvin Roy.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3028 - 19th Ave S to Jesse Lee for \$35,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

If Jesse Lee fails to close, authorization is given for sale of said property to Maryori Carmon for \$35,000 under the same conditions as listed above.

Adopted 2/24/06.

Absent – Colvin Roy.

Resolution 2006R-069, authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-453 (3028 – 19 Ave S), was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-069

By Goodman

Authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-453 (3028 – 19 Avenue South).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel TF-453, in the Corcoran neighborhood, from Jesse Lee, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel TF-453, from Maryori Carmona hereinafter known as the Alternate Redeveloper, the Parcel TF-453, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of TF-453; 3028 19th Avenue South: The South 5 feet of Lot 1 and the North 36 feet of Lot 2, Block 6, Minnehaha Addition to Minneapolis. Being registered property as is evidenced by Certificate of Title No. 114273; and

Whereas, the Redeveloper has offered to pay the sum of \$35,000, for Parcel TF-453 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$35,000 for Parcel TF-453 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on February 3, 2006, a public hearing on the proposed sale was duly held on February 14, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Tax Forfeiture Program plan, as amended, is hereby estimated to be the sum of \$35,000 for Parcel TF-453.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources

necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

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

Adopted 2/24/06.

Absent – Colvin Roy.

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

Comm Dev & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to *Planning and Development: Neighborhood Revitalization Program (NRP)*, incorporating the adopted policy on NRP income as part of the NPR ordinance, now recommends that said ordinance be given its second reading for amendment and adoption.

Adopted 2/24/06.

Absent – Colvin Roy.

Ordinance 2006-Or-019 amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to *Planning and Development: Neighborhood Revitalization Program (NRP)*, incorporating the adopted policy on NRP income as part of the NPR ordinance, was adopted 2/24/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2006-Or-019
By Ostrow and Goodman
Intro & 1st Reading: 8/19/05
Ref to: Comm Dev
2nd Reading: 2/24/06

Amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program.

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

Section 1. That Section 419.20 of the above-entitled ordinance be amended by adding thereto the following definition in alphabetical sequence to read as follows:

419.20. Definitions and general guidelines. (a) In this chapter, unless a different meaning clearly appears from the context:

Program Income means income (net of contractually defined costs and obligations) received by the City, the NRP neighborhood, or an NRP contractor or subcontractor directly generated from the use of NRP contract funds. Sources of Program Income include, but are not limited to:

- a. NRP funded loan and grant repayments and collections (exclusive of contractually defined administrative costs), including principal, interest, late fees and penalty payments.
- b. Proceeds from the sale or lease of real property purchased with NRP funds that require the repayment or recapture of all or a portion of the NRP funds.
- c. Proceeds from the sale or rental of equipment or other personal property purchased with NRP funds and held by a neighborhood group for its offices or administrative purposes.
- d. Proceeds from the sale of loans and other repayment obligations made with NRP contract funds.
- e. Interest earnings on NRP contract funds, including Program Income, held in NRP contractor or subcontractor accounts.

Section 2. That Section 419.70 of the above-entitled ordinance be amended by adding thereto new subdivisions (e), (f) and (g) to read as follows:

419.70. Program Recommendations.

(e) When program income is received from an activity that is only partially funded by NRP funds and unless otherwise contractually defined, the NRP program income shall be equal to the amount of program income, prorated to reflect the percentage of NRP funds used.

(f) The City shall consider program income generated within a particular NRP neighborhood to be available for future use by that same NRP neighborhood, as determined by the designated NRP neighborhood organization, subject to applicable procedures for NRP Policy Board review and City Council approval.

(g) NRP contractors and subcontractors shall report annually in form and detail acceptable to the City Finance Department and NRP on their annual program income activity and balances. City staff shall prepare an annual program income report for review by the Mayor and City Council that includes the above information.

Adopted 2/24/06.

Absent – Colvin Roy.

Comm Dev & W&M/Budget – Your Committee, having under consideration the Humboldt Industrial Park project, the development of a 10-acre parcel of land in the north corner of the Canadian Pacific Railroad's Humboldt Yards into a multi-tenant building totaling 125,000 square feet, now recommends:

- a) Passage of the accompanying resolution approving the Humboldt Industrial Park Redevelopment Plan and Humboldt Industrial Park Tax Increment Financing Plan;
- b) Passage of the accompanying resolution authorizing issuance of a tax increment limited revenue note;
- c) Approval of the business terms described in the Department of Community Planning & Economic Development staff report and the accompanying Term Sheet;
- d) That the proper City officers be authorized to enter into a redevelopment contract with the developer based on the approved business terms;
- e) That the proper City officers be authorized to establish a fund for staff administrative costs associated with the Humboldt Industrial Park Tax Increment District.

Adopted 2/24/06.

Absent – Colvin Roy.

Resolution 2006R-070, adopting the Humboldt Industrial Park Redevelopment Plan, and the Humboldt Industrial Park Tax Increment Finance Plan, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-070
By Goodman and Ostrow

Adopting the Humboldt Industrial Park Redevelopment Plan, and the Humboldt Industrial Park Tax Increment Finance (TIF) Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

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

1.2. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed new Humboldt Industrial Park Redevelopment Plan, and Humboldt Industrial Park Tax Increment Finance (TIF) Plan ("collectively, the Plans"). The Plans establish a new Redevelopment Project, designate property to be included within the boundaries of the proposed project area (the "Project Area"), establish objectives for redevelopment, identify a budget for expenditures, reflect project activities and costs, and establish a soils condition TIF District, all pursuant to and in accordance with the Project Laws.

1.3. The City has performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the City Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.4. The Humboldt Industrial Park TIF District is being established within and under the authority of the Humboldt Industrial Park Project Area.

1.5. The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plans so as to establish a new Redevelopment Project Area and TIF District, which Plans reflect project activities and costs in the Project Area and TIF District.

Section 2. Findings for the Adoption of the Plans

2.1. The Council hereby finds, determines and declares that the Humboldt Industrial Park TIF District will meet the qualifications of a soils condition district pursuant to Minnesota Statutes, Section 469.174, Subdivision 19, subject to certification and verification of eligible TIF costs as required by Project Laws. Failure to meet the requirements for establishment of a soils condition district could result in decertification of the TIF district. The proposed TIF District is located within the Humboldt Industrial Park Redevelopment Project Area, in accordance with the provisions of Minnesota Statutes Sections 469.001 through 469.047.

2.2. The Council further finds, determines and declares that the use of tax increment financing is deemed necessary because in the opinion of the City, the proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the TIF plan. Because it is the opinion of the City that the proposed project to be financed, in part, by this TIF District would not occur solely through private investment at this time, the City projects that the estimated market value of the site without the use of tax increment would remain at its present level. The calculations necessary to pass this test are contained in the TIF Plan on page 12. As represented, the public redevelopment activity, expenditures, and market values associated with the redevelopment that is proposed in the TIF plan results in a series

of calculations and figures that clearly pass the market value test. It is therefore the opinion of the City that the development in this TIF District could not occur solely through private investment within the foreseeable future, and further, the land in the project area would not be made available for redevelopment without the financial aide to be sought.

2.3. The Council further finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the project by private enterprise, as the proposed redevelopment removes blight and blighting influences, remediates site pollution and contamination, and will provide an industrial park, create jobs, provide new construction, public improvements and enhance the tax base. Private redevelopment of the property included in the Project Area and TIF District could not occur without public participation and financial assistance because the extraordinary costs of contamination cleanup are not sufficient to amortize the entire cost of this development. The financial structure of this project proposes additional funding from the State of Minnesota, the Metropolitan Council and Hennepin County and TIF financing is an important key to the development of this site. Further, the remediation and redevelopment of the site will dramatically upgrade the image of this visible property by screening the operating rail yard from the residential neighborhood across the street, removing the blight presented by the semi-trailers being stored on the site, and upgrading the image of the area which is highly visible from the Brooklyn Boulevard/Osseo Rd Bridge. Further, the proposed development represents the first significant private investment in commercial buildings in the area for many years. The proposed high quality development is the highest and best use for the site. It is believed that these benefits will lead to further redevelopment of this older industrial area which is in need of new investment.

2.4. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. The proposed development is within the Humboldt Industrial Area which is designated an "Industrial Park Opportunity Area" in The Minneapolis Plan. The development of multi-tenant industrial buildings on this property would be in conformance with that designation, and would be supported by the following additional policies from The Minneapolis Plan. The project reflects a number of key Minneapolis Plan policies related to supporting the City's economic base by providing adequate land and infrastructure to make sites attractive to businesses willing to invest in high job density and low impact, light industrial activity. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.5. The Council further finds, determines and declares that the entire fiscal disparity contribution required of the City for development occurring within this district be taken from outside the TIF District. The election provided in the Minnesota Statutes Section 469.177, Subdivision 3, paragraph (a) is elected.

2.6. The Council further finds, determines and declares that the property to be included in the Project Area and TIF District meets the criteria of the Project Laws. The property consists of one vacant parcel that is primarily a vacant lot with a portion of the site paved for a semi-trailer parking lot and a CP Rail access road. The property has been a magnet for illegal dumping and vandalism over the years, and has a history of environmental impacts from numerous sources that have resulted in its current undeveloped condition. The site has been owned for over 93 years by the Canadian Pacific railroad (formerly the Soo Line Railroad) and originally contained marshy areas that have now been filled. The site has been tested and a Phase I and Phase II investigation have been completed. The investigations revealed soil and groundwater contamination with Diesel Range Organics (DRO) exceeding state standards and semi volatile organic compounds/polyaromatic hydrocarbons (PAH's) and pesticides. The property is surrounded by a number of sites with known or suspected environmental impacts. Documentation supporting these findings is on file in the office of the Development Finance Division, Crown Roller Mill, 105 5th Avenue South, Minneapolis, Minnesota.

2.7. The Council further finds, determines and declares that the presence of hazardous substances, pollution or contaminants requires removal or remedial action for use, the estimated costs of the proposed removal or remedial action exceeds \$2 per square foot for the area of the parcel, and the proposed removal or remediation action is specified in a development action response plan as stated in the Plans. Further, the proposed redevelopment could not occur without public participation and financial assistance because of the extraordinary pollution remediation costs necessary.

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

2.9. The Council hereby finds, determines and declares that the objectives and actions authorized by the Plans are consistent with the undertaking of a redevelopment Project Area and Soils Condition TIF district, all pursuant to and in accordance with the Project Laws.

Section 3. Approval of the Plans; Creation of Project Area and TIF District

3.1. Based upon the findings set forth in Section 2, the Plans reflect the creation of a Redevelopment Project Area and Soils Condition TIF District presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans

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

Adopted 2/24/06.

Absent – Colvin Roy.

Resolution 2006R-071, authorizing the issuance of a tax increment limited revenue note in a principal amount not exceeding \$500,000 in connection with the RER Humboldt Industrial Park Project within the Newly Created Humboldt Industrial Park Redevelopment Project Area, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2006R-071
By Goodman and Ostrow**

Authorizing the issuance of a tax increment limited revenue note in a principal amount not exceeding \$500,000 in connection with the RER Humboldt Industrial Park Project within the Newly Created Humboldt Industrial Park Redevelopment Project Area.

Whereas, the City of Minneapolis (the "City"), a Minnesota municipal corporation, acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Section 31 and Minneapolis Code of Ordinances, Title 16, Chapter 415, as amended, has certain powers, including without limitation the powers contained in Minnesota Statutes, Sections 469.001 to 469.047 (the "HRA Act"), and Minnesota Statutes, Sections 469.174 to 469.179 (the "Tax Increment Act"); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted areas of and contaminated properties within the City and the development of light industrial facilities employing City residents, and in this connection the City is engaged in carrying out a redevelopment project known as the Humboldt Industrial Park Redevelopment project (the "Project"); and

Whereas, pursuant to the HRA Act and Tax Increment Act, the City has approved the Humboldt Industrial Park Redevelopment Plan dated December 16, 2005, and adopted on February 24, 2006, and the Humboldt Industrial Park Tax Increment Finance Plan dated December 16, 2005, and adopted February 24, 2006; and

Whereas, pursuant to the Tax Increment Act, and specifically Section 469.178, subd 4, the City is authorized to issue its tax increment limited revenue notes to finance the public redevelopment costs of the Project; and

Whereas, the City has entered or will enter into a redevelopment contract (the "Redevelopment Contract") with Real Estate Recycling, a Minnesota corporation, or its affiliated entity (the "Developer"),

pursuant to which the City will provide tax increment financing assistance and the Developer will develop an approximately 125,000 square foot multi-tenant light industrial project, with up to 190 jobs;

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

1. That it is desirable that the City issue a tax increment limited revenue note (the "TIF Note") in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF MINNEAPOLIS

TAX INCREMENT LIMITED REVENUE NOTE
(The RER Humboldt Industrial Park Project)

The CITY OF MINNEAPOLIS (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of Real Estate Recycling, a Minnesota corporation (the "Developer"), solely from the source, to the extent and in the manner hereinafter provided, the principal amount of this TIF Note, being Five Hundred Thousand and No/100 Dollars (\$500,000), or such lesser amount as may equal the Public Development Costs, with interest at the TIF Note Rate, in the installments specified in this TIF Note, on the Payment Dates.

Capitalized terms not elsewhere defined in this TIF Note shall have the following meanings, and if not defined herein, shall have the meanings assigned them in the Contract:

"Available Tax Increment" means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the school district, the county and the state pursuant to *Minnesota Statutes*, Sections 469.177, Subds. 9, 10, and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

"Contract" means that certain Contract for Private Redevelopment by and between the City and the Developer dated _____.

"District" means the Humboldt Industrial Park Tax Increment Finance District as defined in the Tax Increment Finance Plan adopted by the City on _____, 2006 (the "TIF Plan").

"Improvements" shall have the meaning given to Minimum Improvements in the Contract.

"Interest Start Date" means the date when interest begins to accrue on the TIF Note, which date will be the date when the City has issued the Public Redevelopment Costs Certification.

"Maturity Date" means the earlier of (i) the final year of Tax Increment collection from the District as provided in the TIF Plan, or (ii) the date when the principal and interest amount of this TIF Note has been paid in full.

"Note Effective Date" means the date when the City becomes obligated to make payments pursuant to this TIF Note, which date will be the date when the City has issued the Public Redevelopment Costs Certification certifying that the Public Redevelopment Costs for remediation exceed \$876,560.

"Payment Date" means July 30 of the year of first increment collection from the District and each July 30 and December 30 thereafter until the Maturity Date.

"Property" shall have the meaning given to it in the Contract.

"Public Redevelopment Costs" shall have the meaning given to it in the Contract.

"Public Redevelopment Costs Certification" means the certification of Public Development Costs to be issued by the City pursuant to Section 4.01(b) of the Contract.

"Tax Increment" means that portion of the real property taxes generated by the Property and the Minimum Improvements that is actually remitted to the City as tax increment under the Tax Increment Act.

"Tax Increment Act" means Minnesota Statutes, Sections 469.174 - 469.179, as amended, or any successor statutes applicable to the District.

"TIF Note Rate" means 7% per annum, based upon a 360-day year, compounded semiannually.

The City is not obligated to make any payments pursuant to this TIF Note until the Note Effective Date. If the Note Effective Date does not occur before January 2, 2008, then as of January 2, 2008,

this TIF Note will terminate and become null and void, without any obligation or recourse to the City, the Developer and their successors or assigns.

On any Payment Date the Available Tax Increment will be expended in the following order:

- (1) Payment of interest which has accrued on the outstanding principal balance of this TIF Note since the last Payment Date (or the Interest Start Date if this is the first Payment Date). Any amount of accrued interest which is not paid on that date will be added to the outstanding principal balance of this TIF Note (capitalized).
- (2) Any remaining Available Tax Increment will then be used to pay principal on the TIF Note.

If the Developer is in default under the Contract, and such default has not been cured within the time period provided in the Contract, then the City may suspend payments on this TIF Note until the default is cured or the Contract and the City's obligations under this TIF Note are terminated. The City shall have no obligation to pay principal of and interest on this TIF Note from any source other than Available Tax Increment. Failure of the City to pay the interest on and the principal of this TIF Note shall not constitute a default hereunder so long as the City pays principal and interest hereon to the extent of the Available Tax Increment.

Interest shall accrue on this TIF Note from the Interest Start Date. Each payment under this TIF Note, whether a scheduled payment or any other payment, must be applied first to accrued unpaid interest and then to the unpaid principal amount of this TIF Note.

On the Maturity Date, this TIF Note shall be deemed paid in full and the City shall have no further obligation under this TIF Note even if the aggregate of the Available Tax Increment that has actually been paid to the Developer on the Payment Dates is less than the full principal and interest amount of this TIF Note. The obligation of the City to make any scheduled payment shall terminate if and to the extent that the full principal and interest amount of this TIF Note has been paid in full. This TIF Note may be prepaid in full or in part at any time without penalty.

Each payment on this TIF Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and must be made by check or draft made payable to the Developer and mailed to the Developer at _____, Minneapolis, Minnesota 55404, or such other address as the Developer provides in writing to the City's notice address as set forth in the Contract or by wire transfer according to written wire transfer instructions from the Developer.

This TIF Note is a special and limited obligation and not a general obligation of the City, which has been issued by the City pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Section 469.178, subdivision 4, to aid in financing a "project," as therein defined, of the City consisting generally of defraying certain public redevelopment costs incurred by the Developer within and for the benefit of the Project.

THIS TIF NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA (THE "CITY"), EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THIS TIF NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT, NOR SHALL THIS TIF NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT.

This TIF Note shall not be transferred to any person, unless the City has been provided with an opinion of counsel acceptable to the City that such transfer is exempt from registration and official statement delivery requirements of federal and applicable state securities law and an investment letter executed by the proposed transferee in a form reasonably acceptable to the City.

This TIF Note shall not be payable from or constitute a charge upon any funds of the City, and the City shall not be subject to any liability hereon or be deemed to have obligated itself to pay hereon from any funds except the Available Tax Increment, and then only to the extent and in the manner herein specified.

The Developer shall never have or be deemed to have the right to compel any exercise of any taxing power of the City or of any other public body, and neither the City nor any person executing or registering

this TIF Note shall be liable personally hereon by reason of the issuance of registration thereof or otherwise.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and the laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this TIF Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; that this TIF Note is issued pursuant to the Tax Increment Act; and that this TIF Note together with all other indebtedness of the City outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the Agency to exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF, the City of Minneapolis, by action of its Mayor and City Council, has caused this TIF Note to be executed by the manual signature of the Finance Officer of the City; and has caused this TIF Note to be dated _____, 20____.

CITY OF MINNEAPOLIS

By _____
Patrick Born, City Finance Officer

Department Head Responsible
For Monitoring Contract:

CPED Director of Economic Policy
and Development

Approved as to form:

Assistant City Attorney

2. Be It Further Resolved that the form of the TIF Note is hereby approved and shall be executed by the City Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the officers may approve, which approval shall be conclusively evidenced by the execution thereof.

3. Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the TIF Note are hereby approved, ratified and confirmed.

4. Be It Further Resolved that the sale of said TIF Note to the Developer is hereby approved; and the TIF Note is hereby directed to be sold to the Developer, at the price and rate set forth in the TIF Note, and upon the terms and conditions set forth in the Redevelopment Contract.

5. Be It Further Resolved that the City Finance Officer, is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the TIF Note.

6. Be It Further Resolved that no provision, covenant or agreement contained in the TIF Note or in any other document related to the TIF Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the tax increment revenues that are to be applied to the payment of the TIF Note, as provided therein and in the Redevelopment Contract. The TIF Note shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City, except the revenue pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the TIF Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the TIF Note or the interest thereon, or to enforce payment thereon against any property of the City. The TIF Note shall not constitute a

payment thereon against any property of the City. The TIF Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

7. Be It Further Resolved that the TIF Note, when executed and delivered, shall contain a recital that it is issued pursuant to the Tax Increment Act, and such recital shall be conclusive evidence of the validity of the TIF Note and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of the resolution, to the issuance of the TIF Note and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the TIF Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

8. Be It Further Resolved that except as herein otherwise expressly provided, nothing in this resolution, the TIF Note or the Redevelopment Contract, expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation other than the City and the Developer any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provision hereof or of the TIF Note and Redevelopment Contract; this resolution, the TIF Note, the Redevelopment Contract and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and the Developer.

9. Be It Further Resolved that in case any one or more of the provisions of this resolution, the TIF Note or the Redevelopment Contract shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this resolution, the TIF Note or the Redevelopment Contract.

10. Be It Further Resolved that this resolution shall be in full force and effect from and after its passage.

Adopted 2/24/06.

Absent – Colvin Roy.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Bryn Mawr Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

1) Approval of said action plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$270,080;

2) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$259,364.50 in the NRP fund for implementation of said Plan; and

3) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/24/06.

Absent – Colvin Roy.

**RESOLUTION 2006R-072
By Goodman and Ostrow**

Amending The 2006 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 Community Planning and Economic Development Agency in the NRP Program Fund (CNRO-890-3550) by \$259,364.50.

Adopted 2/24/06.

Absent – Colvin Roy.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Elliot Park Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

1) Approval of said action plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$678,504;

2) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$643,754 in the NRP fund for implementation of said Plan; and

3) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/24/06.

Absent – Colvin Roy.

RESOLUTION 2006R-073
By Goodman and Ostrow

Amending The 2006 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 Community Planning and Economic Development Agency in the NRP Program Fund (CNRO-890-3550) by \$643,754.

Adopted 2/24/06.

Absent – Colvin Roy.

Comm Dev & W&M/Budget – Your Committee, having under consideration the report of the Department of Community Planning & Economic Development relating to the outstanding loan balance of approximately \$180,000 with the Grand Avenue Cooperative, which no longer exists, now recommends that the proper City officers be authorized to write-off the debt as officially unrecoverable.

Adopted 2/24/06.

Absent – Colvin Roy.

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

HE&E – Your Committee recommends concurrence with the Mayor to appoint Michael Weinbeck, Ward 10, as Chair of the Civilian Police Review Authority, for a term to expire December 31, 2007.

Adopted 2/24/06.

Absent - Colvin Roy.

The **HEALTH, ENERGY & ENVIRONMENT** and **PUBLIC SAFETY & REGULATORY SERVICES** Committees submitted the following report:

HE&E & PS&RS – Your Committee, having received a report from the Department of Civil Rights entitled “A Study of the Policy and Process of the Minneapolis Civilian Police Review Authority”, now recommends that a working group be established to be made up of City Council Members, Civil Rights staff, the Civilian Review Authority Board Chair, a Police Department Senior Command Officer, a Police Federation representative, the Chief Officer of Labor Negotiations, and a representative from the City Attorney’s Office. This group will be responsible for addressing several outstanding issues that were outside the scope of the Study, some of which were of concern to the Civilian Review Authority Redesign of 2002, incorporating items “a through “g” on Pages 126 through 130 of the Policy and Process Report. The working group shall also look at the other recommendations of the Policy and Process Report, and report back with a work plan and timeline to the Health, Energy & Environment and Public Safety & Regulatory Services Committees in the near future.

Benson moved to amend the report by adding the language “appointed by the Council President” after the words “working group be established”. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

The report, as amended, was adopted 2/24/06.

Absent - Colvin Roy.

The **HEALTH, ENERGY & ENVIRONMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

HE&E & W&M/Budget – Your Committee, having had discussions on the topic of violence as a public health issue, and having received a report on a prevention approach to violence, now recommends that Minneapolis work with community foundations to co-sponsor a community dialogue with the goals of identifying key components of a continuum of violence prevention activities; and developing indicators to measure progress.

Adopted 2/24/06.

Absent - Colvin Roy.

HE&E & W&M/Budget – Your Committee, having under consideration the Phillips Weed and Seed Site, now recommends that the proper City officers be authorized to execute amendment #1 to contract #21376 with the Minnesota Department of Public Safety, Office of Justice, to extend the termination date of the 2005 federal Weed and Seed contract through May 31, 2006; all other terms and conditions to remain the same.

Adopted 2/24/06.

Absent - Colvin Roy.

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

IGR – Your Committee, having under consideration four applications for one open appointment to the Minneapolis Public Library Board of Trustees, for a term to expire December 31, 2007 (replacing Kathleen Lamb), now recommends that the following applications be forwarded without recommendation:

- a) Chris Douglas, 150 – 2nd St NE, Minneapolis;
- b) Mark Elko, 330 Oak Grove St, Minneapolis;
- c) Wizard Marks, 3001 Oakland Ave S, Minneapolis; and
- d) Gary Thaden, 2301 Aldrich Ave S, Minneapolis.

Hodges moved to amend the report to approve the appointment of Gary Thaden. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 2/24/06. Yeas, 11; Nays, 1 as follows:

Yeas – Gordon, Hofstede, Ostrow, Schiff, Lilligren, Remington, Benson, Goodman, Hodges, Samuels, Johnson.

Nays – Glidden.

Absent – Colvin Roy.

IGR - Your Committee recommends approval of the City's Fiscal Year 2007 Federal Legislative Agenda as set forth and described in Petn No 271002.

Adopted 2/24/06.

Absent – Colvin Roy.

IGR – Your Committee, having held a joint meeting with the City Council of the City of St. Paul regarding legislative initiatives, now recommends passage of the accompanying resolution identifying joint legislative interests of the Cities of Saint Paul and Minneapolis.

Adopted 2/24/06.

Absent – Colvin Roy.

Resolution 2006R-074, identifying Joint Legislative Interests of the Cities of Saint Paul and Minneapolis, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-074

**By Hodges, Colvin Roy, Hofstede, Remington, Glidden, Ostrow
Identifying Joint Legislative Interests of the Cities of Saint Paul and Minneapolis.**

Whereas, the core cities of Saint Paul and Minneapolis ("the Cities"), though each is unique, share a number of common interests, concerns and issues; and

Whereas, both strive to provide a high quality of life for their residents; and

Whereas, the 2003, 2004, and 2005 Local Government Aid (LGA) reductions resulted in a reduced level of essential services, resource scarcity with a needs increase, a rise in fee and tax rates, and a widening disparity between the Cities' tax rates and those in surrounding communities; and

Whereas, the Cities are the economic hub of the State of Minnesota, with interconnected industries that rely upon each city's respective infrastructure, housing stock and workforce; and

Whereas, the Cities provide significant contributions to the State of Minnesota's economy and are the cultural and educational centers of the Upper Midwest; and

Whereas, both Cities have a history of strong local leadership and highly prize their ability to make independent decisions on service levels, local land use and local tax policy, but understand the value of cooperation;

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

That in a cooperative effort the Cities of Saint Paul and Minneapolis jointly support as their highest regional priority the funding for Light Rail along the Central Corridor, which serves as critical infrastructure for the economic hub of the State and provides opportunity for long-term economic vitality.

Be It Further Resolved that the Cities also jointly endorse the following legislative initiatives:

- Support adequate dedicated revenue sources for the development and operation of transit and transportation throughout the metro area to allow for long-term planning and an organized, fully-funded operations systems, without increasing financial burdens on local governments.
- Support the language passed by the 2005 legislature for a constitutional amendment to be presented to voters November 2006, which dedicates the Motor Vehicle Sales Tax (MVST) for transit and transportation funding.
- Support full funding of the current Local Government Aid formula and oppose the phase out of Limited Market Value. These measures will prevent significant increases in property taxes, fees and reductions in services.
- Support legislation that permits cities use of eminent domain for redevelopment and blight mitigation, through a process that establishes reasonable procedures and fair standards for its application.
- Support state assistance to finance the redevelopment of brownfields and the elimination of blight. Many of the Cities' redevelopment opportunities are either in total, or in part, a brownfield or are blighted. The state has adopted changes to tax and redevelopment laws that have enabled mitigation of brownfields and blight. In addition the state has provided funding for statewide programs but the funding level is usually inadequate to meet requests.
- Support adequate funding for affordable housing and housing programs that serve low-income and homeless residents.
- Support the Historic Preservation Tax Credit, which provides a 25% state income tax credit on qualified historic preservation expenditures on historic preservation projects, and serves as an incentive for rehabilitating historic structures as well as a tool for community redevelopment.
- Support state funding to develop bioscience initiatives including research and related infrastructure. The Cities have jointly planned public improvements for the bioscience zone, and funding is needed to make improvements that enhance the zone's marketability and accessibility.
- Support funding for the entire public safety system, including such critical functions as police, fire, prosecutors, public defense, probation, courts and communication systems.
- Support funding and a framework to reduce the concentration of released sex offenders in the core Cities.

- Support a statewide smoking ban, provided the ability of local units of governments to enact more restrictive ordinances is not prohibited.
- Support measures to reduce disparities among the Twin Cities region, particularly the core Cities, through resources that focus on children as a critical component for ensuring a prosperous and economically competitive Twin Cities.
- Support the goals of the Clean Water Legacy Act, with an on-going review to assure that funds are properly distributed for protection of our water resources as well as to support future development and redevelopment. Both Cities support an equitable funding solution for the Clean Water Legacy Act but oppose the use of surcharges on local utility fees.
- Support the Minnesota Department of Health capital bonding request to help fund an Interconnect between the Saint Paul and Minneapolis drinking water systems.
- Support legislation funding the state grant program that provides cities with financial assistance to remove diseased and damaged trees, and to reforest.

Adopted 2/24/06.

Absent – Colvin Roy.

The **INTERGOVERNMENTAL RELATIONS** and **PUBLIC SAFETY & REGULATORY SERVICES** Committees submitted the following report:

IGR & PS&RS – Your Committee, having under consideration the Criminal Justice Coordinating Committee’s (CJCC) priorities for the 2006 legislative session, now recommends that the City support the 2006 CJCC Legislative Agenda, as set forth in Petn No 271003.

Adopted 2/24/06.

Absent – Colvin Roy.

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

PS&RS - Your Committee, having under consideration the application of Zydaco Inc, dba Let’s Cook, 330 E Hennepin Av, for an On-Sale Wine Class D with Strong Beer License (new business) to expire April 1, 2006, and having held a public hearing thereon, now recommends that an On-Sale Wine Class E with Strong Beer License be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the application of Joes Garage Inc, dba Joe’s Garage Restaurant, 1610 Harmon Pl, for an On-Sale Liquor Class A with Sunday Sales License (upgrade from Class E with Sunday Sales) to expire April 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to the following conditions:

a. the licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching, and other similar types of activities. Violation of these terms shall provide a basis for revocation of the City’s consent for the licensee to operate a Class A On-Sale Liquor License.

b. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the application of Antoine’s Creole Maison Restaurant, dba Antoine’s Creole Maison Restaurant, 2819 Hennepin Av, for an On-Sale Liquor Class C-2 with Sunday Sales License (new business) to expire January 1, 2007, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/24/06.

Absent - Colvin Roy.

Approved by Mayor Rybak 2/27/06.

(Published 3/1/06)

PS&RS - Your Committee, having under consideration the application of McCormick & Schmick Restaurant Corp, dba M & S Grill, 50 S 6th St, for an On-Sale Liquor Class E with Sunday Sales License (change in ownership) to expire January 1, 2007, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/24/06.

Absent - Colvin Roy.

Approved by Mayor Rybak 2/27/06.

(Published 3/1/06)

PS&RS - Your Committee, having under consideration the application of Nami LLC, dba Nami Restaurant, 251 1st Av N, for an On-Sale Liquor Class E with Sunday Sales License (expansion of premises) to expire April 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/24/06.

Absent - Colvin Roy.

Approved by Mayor Rybak 2/27/06.

(Published 3/1/06)

PS&RS - Your Committee, having under consideration the application of Food Group Holdings LLC, dba Zeno Cafe, 2919 Hennepin Av, for an On-Sale Liquor Class C-1 with Sunday Sales License (change in ownership) to expire April 1, 2006, now recommends that said license be granted, subject to the following conditions:

a. Daniel Gelb agrees that he will not actively participate in the day to day management activities of Zeno.

b. Daniel Gelb agrees to continue to obey the orders of the Hennepin County District Court concerning his probation for his conviction.

c. Daniel Gelb agrees to timely inform the Licenses & Consumer Services Division when he has completed any requirements of his probation and to promptly provide proof of completion of such activities to the Licenses Division.

d. Daniel Gelb agrees that the above conditions may be a condition of approval of the Zeno license and become a condition of approval of any other new or renewed license issued to any business entity of which he is a shareholder during the period of his probation.

e. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/24/06.

Absent - Colvin Roy.

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

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2007

Keegans Pub Inc, dba Keegans Pub, 16 University Av NE (temporary expansion of premises with outdoor entertainment March 17, 2006, Noon to 10:00 p.m.)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2007

Pliego Epigmenio G, dba El Paraiso Restaurant, 3501 Nicollet Av (new business; change from Class C-2).

Adopted 2/24/06.

Absent - Colvin Roy.

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

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-075, granting applications for Business Licenses, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-075
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of February 24, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271008):

Dancing School; Dry Cleaner – Non-flammable; Dry Cleaning & Laundry Pickup Station; Fire Extinguisher Servicing – Class A; All Night Special Food; Confectionery; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Sidewalk Cafe; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Lodging House; Commercial Parking Lot Class A; Motor Vehicle Repair Garage; Pet Shop; Plumber; Refrigeration Systems Installer; Rental Halls; Residential Specialty Contractor; Exhibition Operator Class A; Sign Hanger; Tattooist/Body Piercer; Taxicab – Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle Non-transferable; Tobacco Dealer; Combined Trades; Tree Servicing.

Adopted 2/24/06.

Absent - Colvin Roy.

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

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-076, granting applications for Gambling Licenses, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-076
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Class A

Southwest Hockey Association, dba Southwest Hockey Association, 3011 E Lake St (Site: Eagles Aerie #34, 2507 E 25th St)

Gambling Class B

Southwest Hockey Association, dba Southwest Hockey Association, 3011 E Lake St (Site: Country Bar & Grill, 3006 Lyndale Av)

Southwest Hockey Association, dba Southwest Hockey Association, 3011 E Lake St (Site: 4th Street Saloon, 328 W Broadway)

Southwest Hockey Association, dba Southwest Hockey Association, 3011 E Lake St (Site: Poodle Club, 3001 E Lake St)

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 ½ Av NE
(Site: Gabby's Saloon & Eatery, 1900 Marshall St NE)

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 ½ Av NE
(Site: Jimmy's Bar & Lounge, 1828 4th St NE)

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 ½ Av NE
(Site: 22nd Avenue Station, 2121 University Av NE).

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 ½ Av NE
(One Day Off Site Permit March 8, 2006 at Jax Cafe, 1928 University Av NE).

Gambling Lawful Exempt

St David's Child Development & Family, dba St Davids Child Development & Family, 3395
Plymouth Rd, Minnetonka (Raffle March 4, 2006 at McNamara Alumni Center, 200 Oak St NE)

Church of St Albert the Great, dba Church of St Albert the Great, 2836 33rd Av S (Bingo and Raffle
March 10, 2006)

Church of St Albert the Great, dba Church of St Albert the Great, 2836 33rd Av S (Bingo and Raffle
March 17, 2006)

Church of St Albert the Great, dba Church of St Albert the Great, 2836 33rd Av S (Bingo and Raffle
March 31, 2006)

Church of St Albert the Great, dba Church of St Albert the Great, 2836 33rd Av S (Bingo and Raffle
April 7, 2006)

Rod and Gun Inc, dba Rod and Gun Inc, 2540 Park Av (Raffle April 19, 2006 at Zuhrah Shrine Center,
2540 Park Av)

Allina Health System, dba Allina Health System, 1055 Westgate Dr, St. Paul (Raffle April 22, 2006
at Graves 601 Hotel, 601 1st Av N)

Metropolitan Boys Choir, dba Metropolitan Boys Choir, PO Box 19348 (Raffle April 23, 2006 at
Orchestra Hall, 1111 Nicollet Av)

Childrens Cancer Research Fund, dba Childrens Cancer Research Fund, 7801 E Bush Lake Rd
(Raffle April 28, 2006 at Graves 601 Hotel, 601 1st Av N)

Wamso-Minnesota Orchestra Volunteer, dba Wamso-Minnesota Orchestra Volunteer, 1111
Nicollet Mall (Raffle June 3, 2006 at The Depot, 225 3rd Av S)

Church of St Hedwig, dba Church of St Hedwig, 129 29th Av NE (Bingo, Raffle, Paddlewheels and
Pulltabs June 4, 2006)

Rod and Gun Inc, dba Rod and Gun Inc, 2540 Park Av (Raffle November 1, 2006 at Zuhrah Shrine
Center, 2540 Park Av)

Church of The Holy Name, dba Church of The Holy Name, 3637 11th Av (Raffle February 18, 2006).
Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution approving
Technical Advisory Committee recommendations relating to the Off-Sale Beer License held by Penn
Gas Stop, 2606 Penn Av N.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-077, approving Technical Advisory Committee recommendations relating to the
Off-Sale Beer License held by Penn Gas Stop, 2606 Penn Av N, was adopted 2/24/06 by the City
Council. A complete copy of this resolution is available for public inspection in the office of the City
Clerk.

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

RESOLUTION 2006R-077

By Samuels

Approving Technical Advisory Committee recommendations relating to the Off-Sale Beer License held by Penn Gas Stop, 2606 Penn Av N.

Whereas, a Technical Advisory Committee (TAC) meeting was held on January 13, 2006 to discuss issues related to the operation of C-Gas Stop Inc, dba Penn Gas Stop located at 2606 Penn Av N; and

Whereas, the Committee has received Findings of Fact, Conclusions and Recommendations that conclude that on three separate occasions within a period of five months employees of Penn Gas Stop sold alcohol to persons under the age of 21 in violation of Section 370.10 of the Minneapolis Code of Ordinances and the compliance check policy and procedures of the City of Minneapolis;

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

That the Off-Sale Beer License issued to Penn Gas Stop shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including November 4, 2007, subject to full compliance with the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk, and hereby made a part of this Resolution:

a. Penn Gas Stop will pay \$2,000 in cost recovery to the City by February 3, 2006.

b. Penn Gas Stop will surrender its Off-Sale Beer License and withdraw its application for the license in person at Room 1C City Hall by February 3, 2006.

c. Penn Gas Stop will not reapply for an Off-Sale Beer License until November 4, 2007.

d. That this TAC Agreement does not alter or preclude any previously imposed license conditions that may exist regarding any other licenses held by Penn Gas Stop.

e. That this TAC Agreement shall not preclude any other adverse license action for subsequent violations of this Agreement, or for subsequent violations or subsequently discovered violations of any federal, state or local laws, ordinances or regulations.

f. That this TAC Agreement shall remain in effect through and including November 4, 2007. Further, it is understood between the parties that this Agreement shall bind only the present licensee and will not bind any subsequent unrelated person or persons should the business be sold and a new license be approved.

g. The "Date of the Agreement" shall be defined as the date that the licensee signs or otherwise executes this Agreement.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Hell's Kitchen, 89 S 10th St.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-078, approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Hell's Kitchen, 89 S 10th St, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-078

By Samuels

Approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Hell's Kitchen, 89 S 10th St.

Whereas, a Technical Advisory Committee (TAC) meeting was held on January 12, 2006 to discuss issues related to the operation of Hell's Kitchen Inc, dba Hell's Kitchen located at 89 S 10th St; and

Whereas, the Committee has received Findings of Fact, Conclusions and Recommendations that conclude that on two separate occasions within a period of four months employees of Hell's Kitchen sold alcohol to persons under the age of 21 in violation of Section 370.10 of the Minneapolis Code of Ordinances and the compliance check policy and procedures of the City of Minneapolis;

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

That the On-Sale Wine with Strong Beer License issued to Hell's Kitchen shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including September 1, 2007, subject to full compliance with the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk, and hereby made a part of this Resolution:

a. Hell's Kitchen will require all customers who purchase alcohol to produce identification as listed in Minnesota State Section 340A.503.

b. Hell's Kitchen will pay \$3,000 in cost recovery to the City by February 10, 2006.

c. That the On-Sale Wine with Strong Beer License of Hell's Kitchen be suspended for a period of 30 days. Imposition of the 30-day suspension will be stayed, and Hell's Kitchen will voluntarily suspend alcohol sales for a period of 5 days. The dates of this voluntary suspension have been chosen by the licensee and will include February 6 through 10, 2006. Any sale of alcohol during this time period will constitute a violation of this Agreement. Should the licensee violate any provision of this Agreement while it is in effect, it shall be subject to additional adverse license action, including but not limited to the imposition of the stayed license suspension period, as well as the potential commencement of license revocation proceedings.

d. All Hell's Kitchen employees will attend professionally presented alcohol server training. This training program must be approved by the City of Minneapolis. All managers and owners who participate in the day to day operation of the business will attend a retail alcohol management course. This training must be approved by the City of Minneapolis and completed within 30 days of the effective date of the TAC Agreement. All employees, managers or owners hired or brought into the business after this initial training must attend an approved training class within 30 days of hire or approval as business owner.

e. A properly trained manager or owner must be on site during business hours at all times.

f. This Agreement does not alter or preclude any previously imposed license conditions that may exist.

g. The licensee is aware that it will be subject to additional compliance checks during the term of this Agreement and further agrees that these compliance checks can and will be conducted by both minor-aged decoys as well as decoys of legal age. It shall be a violation of this Agreement for the licensee to sell alcohol to a legal-age decoy if that decoy is not required to present age identification to complete the sale of alcohol regardless of the actual age of the decoy. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee and if asked, will present their actual duly-issued age identification.

h. That this Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation for subsequent violations of this Agreement, or for subsequent violations or subsequently discovered violations of any federal, state or local laws, ordinances or regulations.

i. That this Agreement shall remain in effect through and including September 1, 2007. It is understood between the parties that this Agreement shall bind only the present licensee and will not bind any subsequent unrelated person or persons should the business be sold and a new license approved.

j. The "Date of the Agreement" shall be defined as the date that the licensee signs or otherwise executes this Agreement.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS – Your Committee recommends acceptance of low bid meeting specifications received on OP#6530 (Petn No 271009) submitted by Uniforms Unlimited, in the amount of \$163,362.20, for

furnishing Conductive Energy Devices (tasers) to the Police Department, all in accordance with City specifications, contingent upon approval of the Civil Rights Department. Vendor offers to increase amounts up to 50% at bid prices. Vendor further offers to extend the terms and conditions for one additional year after December 31, 2006 at the sole option of the City of Minneapolis.

Gordon moved to amend the report by adding the following staff directive:

"The Minneapolis Police Department, pursuant to their acceptance on February 15, 2006 of the *Taser Policy and Training Recommendations* of the Minneapolis Civilian Police Review Authority, will report back to the Public Safety & Regulatory Services Committee in no more than 90 days to show the changes to CED policies that have been made to reflect said recommendations." Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

The report, as amended, was adopted 2/24/06.

Absent - Colvin Roy.

PS&RS – Your Committee, having under consideration the rental dwelling license for the property located at 3121 Cedar Avenue, and the new property owner having cooperated with a full rental license inspection and corrected all Housing and Fire Code violations, including full pest extermination and proper maintenance of the common areas of the building, and having received an acceptable management plan for the property and verification that the property is now in compliance with rental licensing standards in accordance with Section 244.1910 of the Code of Ordinances, now recommends concurrence with the Director of Inspections to approve the reinstatement of said license to be held by Vishnu Lalta.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the property located at 3539 Fremont Avenue North which has been deemed to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehabilitation of the property is not feasible, now recommends that the proper City officers be authorized to demolish said property legally described as Lot 6, Block 1, Dean Park Addition (PID #09-029-24-12-0006), as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the property located at 2813 15th Avenue South which has been deemed to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehabilitation of the property is not feasible, now recommends that the proper City officers be authorized to demolish said property legally described as Lot 5, Pulsifer's Subdivision of Lots 6, 7, 8, 9 and 10 in Block 1 Merriam & Shaw's Addition to Minneapolis (PID #35-029-24-43-0129), as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS - Your Committee, having under consideration the property located at 2915 3rd Street North which has been deemed to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and the Committee having previously determined on December 27, 2004 that the property be rehabilitated subject to conditions, and the property having subsequently been sold to the current owner, now recommends that the property owner be authorized to rehabilitate said property, subject to the following conditions, as more fully set forth in the Findings of Fact,

Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

- a. that all the remaining necessary permits be issued by February 22, 2006.
 - b. that all work be finished and a certificate of occupancy be issued by no later than May 1, 2006.
 - c. that if the owner does not meet the requirements of this time frame, that the Committee impose civil penalties as is allowed under Section 249.50(b) of the Code of Ordinances, and that the fees shall be a basis of \$200 to \$1,000 per violation.
- Adopted 2/24/06.
Absent - Colvin Roy.

PS&RS – Your Committee, having under consideration the rental dwelling license for the property located at 1045 24th Avenue Southeast held by Mei Jen Chen, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental License Board of Appeals hearing held on January 10, 2006 recommending that said license be revoked for violating Section 244.1910(6) of the Minneapolis Code of Ordinances for substandard condition of the property in violation of licensing standards, now recommends concurrence with the recommendation of the Board that said license held by Mei Jen Chen be revoked, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 2/24/06.
Absent - Colvin Roy.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

PS&RS & T&PW - Your Committee recommends passage of the accompanying resolution approving a special assessment deferment application for hazardous tree removal (Petn No 271012.1).

Adopted 2/24/06.
Absent - Colvin Roy.

RESOLUTION 2006R-079
By Samuels

Approving special assessment deferment applications.

Resolved by The City Council of The City of Minneapolis:

That the following application be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195, and City Council Resolutions 80R-365 passed August 8, 1980, and 93R-134 passed April 16, 1993:

Catherine Hardy (Senior Citizen) to defer the special assessment (Levy 01084, Project 2004) for hazardous tree removal in the remaining principal amount of \$1,340 for payable 2006 and subsequent years, on the property located at 1000 Thomas Av N, PID 20-029-24-11-0085, legal description: S 45 ft of W 25 ft of Lot 2 and the S 45 ft of Lots 3 and 4, Block6, "Homewood, Minneapolis, Minnesota."

Adopted 2/24/06.
Absent - Colvin Roy.

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

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a grant award of \$40,067.42 from the 2005 United States Department of Homeland Security for Fire Department efforts as part of the Emergency Management Performance Grant. Further, passage of the accompanying Resolution appropriating \$40,067.42 to the Fire Department.

Adopted 2/24/06.
Absent - Colvin Roy.

RESOLUTION 2006R-080
By Samuels and Ostrow

Amending The 2006 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 Fire Department Agency in the Grants - Federal Fund (030-280-2880) by \$40,067.42 and increasing the Revenue Source (030-280-2880 – Source 3210) by \$40,067.42.

Adopted 2/24/06.

Absent - Colvin Roy.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a third agreement with QUITPLAN to display their logo and stop smoking message on six of the Fire Department's highest use engines, and to continue to display their logo and short message on the rear canvas hose cover on six engines that were also part of the 2005 agreement between the Fire Department and QUITPLAN. The City shall receive \$32,130 as payment for Year 2006 per said agreement with QUITPLAN. Further, passage of the accompanying Resolution appropriating \$32,130 to the Fire Department.

Adopted 2/24/06.

Absent - Colvin Roy.

RESOLUTION 2006R-081
By Samuels and Ostrow

Amending The 2006 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 Fire Department Agency in the General Fund (010-280-2880) by \$32,130 and increasing the Revenue Source (010-280-2880 – Source 3455) by \$32,130.

Adopted 2/24/06.

Absent - Colvin Roy.

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

T&PW - Your Committee recommends passage of the accompanying resolution approving special assessment deferment applications for new water service line repair (Petn. No. 271012).

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-082, approving special assessment deferment applications, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-082
By Colvin Roy

Approving special assessment deferment applications.

Resolved by The City Council of The City of Minneapolis:

That the following applications be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195, and City Council Resolutions 80R-365 passed August 8, 1980, and 93R-134 passed April 16, 1993:

a) Ruth B. Allen (Senior Citizen) to defer the special assessment (Levy 01028, Project 06WTR) for water service line repair in the principal amount of \$3,498 for payable 2006 and subsequent years, on the property located at 1642 Upton Av N, PID 17-029-24-42-0051, legal description: Lot 26, Block 3, Fairlawn Addition; and

b) Richard T. Gordon and Alberta E. Gordon (Senior Citizens) to defer the special assessment (Levy 01028, Project 06WTR) for water service line repair in the principal amount of \$2,959 for payable 2006 and subsequent years, on the property located at 2322 Aldrich Av N, PID 16-029-24-11-0054, legal description: Lot 13, Block 3, Highland Park Addition.

Adopted 2/24/06.

Absent - Colvin Roy.

T&PW - Your Committee recommends that the proper City officers be authorized to extend the Electronic Proprietary Geographic Digitized Database (EPDB) Conditional Use License Agreement No. A02238 with Hennepin County at no cost for one year, allowing the City to utilize the County's database in the course of conducting business.

Adopted 2/24/06.

Absent - Colvin Roy.

T&PW - Your Committee recommends that the proper City officers be authorized to file a rezoning application to change the zoning designation of the Second Police Precinct property, located at 1911 Central Av NE, from C1 to C2.

Adopted 2/24/06.

Absent - Colvin Roy.

T&PW - Your Committee, having under consideration the reconstruction of the Park Avenue South bridge over the Midtown Greenway by the Hennepin County Department of Transportation, now recommends:

a) Passage of the accompanying resolution approving the Hennepin County Department of Transportation Project No. 9836; and

b) Approving a City/County Construction Cooperative Agreement (County Agreement No. PW 36-20-04 for County Project No. 9836) pending satisfactory review by the City Engineer and City Attorney's Office.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-083, approving the Hennepin County Department of Transportation's reconstruction of the Park Avenue South Bridge, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-083

By Colvin Roy

Approving the Hennepin County Department of Transportation Project No 9836, Reconstruction of CSAH 33 (Park Avenue South) Bridge over Midtown Greenway.

Whereas, the Hennepin County Department of Transportation (County) has proposed reconstruction of the Park Avenue South Bridge over Midtown Greenway and has prepared plans describing the proposed improvements and has submitted the project to the City of Minneapolis requesting approval; and

Whereas, the project's planning process included community input and resulted in aesthetic treatments to the bridge; and

Whereas, County and City staff have held a meeting with the affected communities in the development of the project; and

Whereas, Public Works has reviewed the project and has determined that it meets both the community's goals and present and future traffic requirements; and

Whereas, staff has made its recommendation to the City Council based on said determination;

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

That the City approves the County's Project No 9836, Reconstruction of CSAH 33 (Park Avenue South) Bridge over Midtown Greenway, as submitted.

Adopted 2/24/06.

Absent - Colvin Roy.

T&PW - Your Committee, having under consideration the reconstruction of the Portland Avenue South bridge over Minnehaha Creek by the Hennepin County Department of Transportation, now recommends:

a) Passage of the accompanying resolution approving the Hennepin County Department of Transportation Project No. 0007; and

b) Approving a City/County Construction Cooperative Agreement (County Agreement No. PW 35-20-05 for County Project No. 0007) pending satisfactory review by the City Engineer and City Attorney's Office.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-084, approving the Hennepin County Department of Transportation's reconstruction of the Portland Avenue South Bridge, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-084

By Colvin Roy

Approving the Hennepin County Department of Transportation Project No 0007, Reconstruction of CSAH 35 (Portland Avenue South) Bridge over Minnehaha Creek.

Whereas, the Hennepin County Department of Transportation (County) has proposed reconstruction of the Portland Avenue South Bridge over Minnehaha Creek and has prepared plans describing the proposed improvements and has submitted the project to the City of Minneapolis requesting approval; and

Whereas, the project's planning process included community input and resulted in aesthetic treatments to the bridge; and

Whereas, County and City staff have held a meeting with the affected communities in the development of the project; and

Whereas, Public Works has reviewed the project and has determined that it meets both the community's goals and present and future traffic requirements; and

Whereas, staff has made its recommendation to the City Council based on said determination;

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

That the City approves the County's Project No 0007, Reconstruction of CSAH 35 (Portland Avenue South) Bridge over Minnehaha Creek, as submitted.

Adopted 2/24/06.

Absent - Colvin Roy.

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

T&PW & W&M/Budget - Your Committee, having under consideration the Lake Street E (Hiawatha Av to W River Rd) Reconstruction Project, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments in the amount of \$1,146,715.94 for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$1,146,715.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-085, ordering the work to proceed and adopting the special assessments for the Lake Street E (Hiawatha Av to W River Road) Street Reconstruction Project, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-085
By Colvin Roy and Ostrow

Lake Street E (Hiawatha Av to W River Road) Street Reconstruction Project
Special Improvement of Existing Street No 6709

Ordering the work to proceed and adopting the special assessments for the Lake Street E (Hiawatha Av to W River Road) Street Reconstruction Project.

Whereas, a public hearing was held on February 14, 2006 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2006R-010 passed January 13, 2006, 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 2006R-010 passed January 13, 2006.

Be It Further Resolved that the proposed special assessments in the total amount of \$1,146,715.94 as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2007 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2007 real estate tax statements.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-086, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,146,715 for the Lake Street East Reconstruction Project, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-086
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,146,715 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lake Street E (Hiawatha Av to W River Rd) Street Reconstruction Project, Special Improvement of Existing Street No 6709, 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 2/24/06.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee, having under consideration the Lake Street E (Hiawatha Av to W River Rd) Streetscape and Street Lighting Revitalization Project, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments in the amount of \$3,391,922.80 for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$3,921,920.

Gordon moved that the report be postponed one cycle.

Lost for lack of a second.

Schiff moved to amend the report to add the direction to staff to remove the non-bus stop benches from the East Lake Street Streetscape Project. Seconded.

Lost upon a voice vote.

The report was adopted 2/24/06. Yeas, 11; Nays, 1 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Johnson.

Nays - Gordon.

Absent - Colvin Roy.

Resolution 2006R-087, ordering the work to proceed and adopting the special assessments for the Lake Street E (Hiawatha Av to W River Rd) Streetscape and Street Lighting Revitalization Project was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-087
By Colvin Roy & Ostrow

Lake Street E (Hiawatha Av to W River Rd)
Streetscape and Street Lighting Revitalization Project
Special Improvement of Existing Street No 6709

Ordering the work to proceed and adopting the special assessments for the Lake Street E (Hiawatha Av to W River Rd) Streetscape and Street Lighting Revitalization Project.

Whereas, a public hearing was held on February 14, 2006 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider

the proposed improvements as designated in Resolution 2006R-011 passed January 13, 2006, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in Resolution 2006R-011 passed January 13, 2006.

Be It Further Resolved that the proposed special assessments in the total amount of \$3,921,922.80 as on file in the office of the City Clerk are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at fifteen (15) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2008 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 the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2008 real estate tax statements.

Adopted 2/24/06. Yeas, 11; Nays, 1 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Johnson.

Nays - Gordon.

Absent - Colvin Roy.

Resolution 2006R-088, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$3,921,920 for the Lake Street East Streetscape and Street Lighting Revitalization Project, was adopted 02/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-088
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$3,921,920 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lake Street E (Hiawatha Av to W River Rd) Streetscape and Street Lighting Revitalization Project, Special Improvement of Existing Street No 6709, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in fifteen (15) successive annual installments, payable in the same manner as real estate taxes.

Adopted 2/24/06. Yeas, 11; Nays, 1 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Johnson.

Nays - Gordon.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the street lighting districts, a public hearing was held on February 14, 2006 to consider the establishment of Street Lighting District No. 1323 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No. 1323 (streets to receive lighting are as designated in the Lake Street E (Hiawatha Av to W River Rd) Streetscape and Street Lighting Revitalization Project, Special Improvement of Existing Street No. 6709) as delineated in a report of the Transportation and Public Works Committee passed by the City Council January 13, 2006 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No. 1323 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 2/24/06.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee, having under consideration the Lake Street E (Hiawatha Av to W River Rd) Reconstruction, Streetscape, and Street Lighting Project, and having held a public hearing thereon, now recommends passage of the accompanying resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the projects.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-089, ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the Lake Street East reconstruction, streetscape and street lighting projects (Hiawatha Av to W River Rd), was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-089
By Colvin Roy and Ostrow

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction, streetscape and street lighting projects in the Lake St E (Hiawatha Av to W River Rd) area.

Whereas, the City of Minneapolis, in cooperation with Hennepin County, has scheduled the reconstruction and streetscape and street lighting improvements starting in 2006 in the Lake St E (Hiawatha Av to W River Rd) area of Minneapolis; and

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

Whereas, a public hearing was held on February 14, 2006 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along Lake St E (both sides) from Hiawatha Av to W River Rd.

Adopted 2/24/06.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment No. 2, Change Order No. 10, increasing Contract No. C-19851 with Pro-Tec Design, Inc. by \$32,423.44, for a revised contract total of \$828,231.14, to provide for modifications to equipment in the Fridley Water Works Facility Entrances Security Project.

Your Committee further recommends that the project completion date be extended through December 31, 2006.

Adopted 2/24/06.

Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee, having under consideration the Miscellaneous I-35W Frontage Road Reconstruction, Project No. 9761, now recommends passage of the accompanying resolutions:

a) Amending Resolution 2005R-658 to include the project in the City's 2006 - 2010 five-year Capital Improvement Program, and increasing the appropriation and revenue for the project by \$900,000; and

b) Designating the location and streets to be improved in the project.

Adopted 2/24/06.

Absent - Colvin Roy.

RESOLUTION 2006R-090
By Colvin Roy and Ostrow

Amending Resolution 2005R-658, "Adopting the 2006-2010 Five Year Capital Program and fixing the maximum amounts for 2006 to be expended by the various funds under the jurisdiction of the City Council", passed December 19, 2005.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by adding the Miscellaneous I-35W Frontage Road Reconstruction Project to the City's 2006 - 2010 Capital Improvement Program in 2006.

Be It Further Resolved that the above-entitled resolution, as amended, be further amended by increasing the appropriation in the PW-Paving Construction-Capital Agency in the Permanent Improvement Projects Fund (4100-937-9372-PV037) by \$900,000, with a corresponding increase to the assessment bond revenue source (4100-937-9372-3650) of \$900,000.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-091, designating the reconstruction of the I-35W frontage road, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-091
By Colvin Roy & Ostrow

**I-35W FRONTAGE ROAD RECONSTRUCTION PROJECT,
SPECIAL IMPROVEMENT OF EXISTING STREET NO 9761.**

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

Resolved by The City Council of The City of Minneapolis:

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

Stevens Av S from 42nd St E to 51st St E;

Stevens Av S from Minnehaha Parkway to 58th St E;

2nd Av S from Minnehaha Parkway to Chester St;

2nd Av S from 60th St E to 62nd St E; and
Diamond Lake Rd from Interstate 35W to Clinton Av S.
Adopted 2/24/06.
Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee, having received a cost estimate of \$2,650,000 for street construction improvements and a list of benefited properties for the I-35W Frontage Road Reconstruction Project, Special Improvement of Existing Street No. 9761, as designated by Resolution 2006R-091, passed February 24, 2006, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties by applying the 2006 Uniform Assessment Rate as per Resolution 2005R-691, passed December 23, 2005.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held on April 4, 2006, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the above-designated street reconstruction project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 2/24/06.
Absent - Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution approving bids submitted to the Public Works Department, all in accordance with City specifications (Petn No. 271013).

Adopted 2/24/06.
Absent - Colvin Roy.

Resolution 2006R-092, granting approval of the bids for: a) furnishing and delivering quick lime; b) furnishing and delivering fine aggregate; and c) furnishing and delivering gray/black aggregate, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-092
By Colvin Roy and Ostrow

Granting approval of the bids for projects and/or services for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications, and contingent upon approval of the Civil Rights Department. (Petn No 271013)

a) OP #6548, Accept low bid of Cutler Mager Company, for an estimated annual expenditure of \$840,000, to furnish and deliver quick lime to Public Works Water Department, as needed through February 28, 2007;

b) OP #6550, Accept low bid of Fischer Sand and Aggregate Company, for an estimated annual expenditure of \$138,200, to furnish and deliver fine aggregate to various divisions of Public Works, as needed and called for during the period of April 1, 2006 through March 31, 2007; and

c) OP #6551, Accept low bid of Martin Marietta Aggregates for an estimated annual expenditure of \$221,500, to furnish and deliver gray/black aggregate, as needed and called for through March 2007.

Adopted 2/24/06.
Absent - Colvin Roy.

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

W&M/Budget - Your Committee recommends that the proper City officers be authorized to extend the City's Contract #6544 with Minneapolis Telecommunications Network (MTN) a Minnesota Non-Profit Corporation d.b.a. Minnesota Television Network, through December 31, 2006, to allow for continuation of MTN operations while negotiations continue on a cable franchise agreement.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget - Your Committee, having under consideration the Convention Center HVAC System, now recommends acceptance of the low responsive bid of Honeywell Building Solutions (as outlined in Petn No. 271018), for an estimated annual expenditure of \$100,000 to provide a preventative maintenance program and ongoing repairs for the Convention Center HVAC system.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board approving allocation of funding for the following proposals:

St. Anne's Community Development Corp. - St. Anne's Senior Housing	\$100,000
Rose Development - Business Expansion	\$250,000
Total	\$350,000

Your Committee further recommends that the proper City officers be authorized to execute contracts with said funding sub-recipients setting forth the terms and conditions of the agreement.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget - Your Committee, having received recommendations from the Finance Department regarding the 2007-2011 Capital Long-Range Improvements Committee (CLIC) as included in Petn No. 271020, now recommends:

- a) Adoption of the 2006 CLIC Schedule and establishment of the capital budget submission deadline as noon on March 31, 2006;
- b) Adoption of the 2006 CLIC Capital Guidelines for use in evaluating 2007-2011 Capital requests; and
- c) Provision of tax supported resource direction to CLIC, city department, independent boards & commissions.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget - Your Committee, having under consideration the official 2006 Consolidated Plan awards, now recommends passage of the accompanying Resolution amending the 2006 Consolidated Plan budget (Schedule 4 contained in Resolution 2005R-655) to be reflective of percentage cuts with respect to individual Consolidated Plan grants/programs.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-093, amending the 2006 Consolidated Plan budget to be reflective of percentage cuts with respect to individual Consolidate Plan grants/programs, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-093

By Ostrow

Amending Resolution No. 2005R-655, as amended “Fixing the maximum amounts to be expended by the various departments for 2006 from the various funds under the jurisdiction of the City Council for which the City Council levies taxes and fees”, passed December 19, 2005.

Resolved by the City Council of the City of Minneapolis:

That the approved CDBG Schedule 4 be amended to read as follows:

Organization Consolidated Plan	Project Adopted	2005 2006 HUD Adopted Budget	2006 Council	Recommended
Capital/Other—CDBG				
Community Planning and Economic Development	Industry Cluster Program (Living Wage Jobs)	94,347	90,000	84,950
Community Planning and Economic Development	Adult Training, Placement and Retention	610,873	580,000	547,500
Community Planning and Economic Development	Homeownership Program (GMMHC)	495,560	437,000	412,400
Community Planning and Economic Development	Multi-Family/Affordable Housing	4,898,420	4,999,000	4,700,000
Community Planning and Economic Development	Development Assistance	238,250	226,000	213,321
Community Planning and Economic Development	NEDF/CEDF	142,950	136,000	128,370
Community Planning and Economic Development	Residential Loan/Grant	571,800		
Community Planning and Economic Development	Vacant & Boarded Housing	1,143,600	1,154,000	1,089,275
Community Planning and Economic Development	High density corridor housing	953,000	1,000,000	943,900
	Subtotal CPED capital	9,148,800	8,622,000	8,119,716
Greater Minneapolis Day care Association	Childcare Facilities Loan/Grant	306,866	292,000	275,619
Minneapolis Public Housing	General Rehabilitation	297,336	282,000	266,180
Regulatory Services	Lead Reduction	171,540	163,000	153,856
Multiple Departments (Fire, Ops/Regs, City Attorney, Police)	New Problem Properties Strategy	192,506	183,000	183,000
	Total Capital/Other (65%)	10,117,048	9,542,000	8,998,371 -11.06%
Public Service—CDBG				
Community Planning and Economic Development	Youth Employment	541,304	506,000	477,000
Community Planning and Economic Development	Mortgage Foreclosure Prevention Program	238,250	218,000	205,000
Department of Health & Family Support	Way to Grow	295,430	296,000	296,000
Department of Health & Family Support	Advocacy (Housing)	104,830	100,000	94,390
Public Works	Graffiti Removal on Public Property	101,971	97,000	91,500

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Minneapolis Urban League	Curfew/Truancy Center	99,112	98,000	98,000
Department of Health & Family Support	<i>Public Health Advisory Committee Recommendations</i>			833,464
	Carondelt LifeCare/St Mary's Health Clinic	75,000	71,000	TBD
	Children's Dental Services	11,000	10,000	TBD
	Early Childhood Resource and Training Center	20,412	19,000	TBD
	Lao Advancement Organization of America	50,000	47,000	TBD
	Little Earth Residents Association	35,000	33,000	TBD
	MELD	40,000	38,000	TBD
	Minneapolis Medical Research Foundation/Hennepin County Medical Center	45,000	43,000	TBD
	Minneapolis Urban League	25,000	24,000	TBD
	Minneapolis Public School Teenage Parenting & Pregnancy Programs	85,000	80,000	TBD
	Native American Community Clinic	28,061	26,000	TBD
	New American Community Services	50,000	47,000	TBD
	Senior Block Nurse Program	66,000	62,000	TBD
	Southside Community Health Services	50,000	47,000	TBD
	West Side Community Health Services	40,000	38,000	TBD
	YWCA of Minneapolis	30,000	28,000	TBD
	Greater Minneapolis Daycare Association	142,500	135,000	TBD
	Neighborhood Health Care Network	142,500	135,000	TBD
Total Public Service (15%)		2,316,370	2,198,000	2,095,354
	* TBD- Health & Family Support will determine how to apply cuts to PHAC public service programs based on performance			-9.54%
Administration—CDBG				
Civil Rights Department	Fair Housing Initiative/Davis Bacon Compliance	257,312	255,000	240,975
Community Planning and Economic Development	Citizen Participation	328,788	303,000	286,000
Community Planning and Economic Development	Program Admin	71,476	8,900	50,000
Community Planning and Economic Development	Planning - Administration	1,172,581	1,146,800	1,040,893
Department of Health & Family Support	Neighborhood Services	101,972	94,000	88,731
Department of Health &				

FEBRUARY 24, 2006

Family Support	Grant Administration	95,301	90,000	84,995
Department of Health & Family Support	Way to Grow Administration	34,308	34,000	31,756
Finance Department	Program Administration	271,607	255,000	240,975
Intergovernmental Relations	Grants & Special Projects	219,192	206,000	188,665
Intergovernmental Relations	Homelessness Initiative		100,000	100,000
Legal Aid Society Minneapolis Public Housing	Legal Aid Society	46,697	44,000	41,097
Youth Coordinating Board	Citizen Participation Administration	93,395	88,000	83,105
Fair Housing Implementation Council		56,227	57,000	57,000
Legal Aid Society	Metro Fair Housing	17,154	16,000	-
	Housing Discrimination Law Project	76,241	71,000	67,249
Civil Rights Department	Multicultural Affairs	166,776	165,300	155,980
Total Administration (20%)		3,009,027	2,934,000	2,757,421 -8.36%
CDBG Total of Requests (100%)		15,442,445	14,674,000	13,851,146
Anticipated CDBG Revenue		15,442,445	14,674,000	13,851,146 -10.30%

Other Consolidated Plan Entitlement Funds

HOME Investment Partnerships	Community Planning and Economic Development	3,779,193	3,779,193	3,563,274
Emergency Shelter Grants (ESG)	Community Planning and Economic Development	596,655	596,655	593,950
Housing Opportunities for Persons with AIDS (HOPWA)	Minnesota Housing Finance Agency	797,000	797,000	829,000
American Dream Down Payment Initiative (ADDI)	Community Planning and Economic Development	130,230	130,230	64,984
Grand Total Consolidated Plan		20,745,523	19,977,078	18,902,354

Adopted 2/24/06.
Absent - Colvin Roy.

W&M/Budget - Your Committee recommends that the Department of Operations and Regulatory Services be authorized to hire Mr. Brad Dvorak to the position of Plumbing Inspector, Construction Inspection Services, at the top salary step (Step 8).

Adopted 2/24/06.
Absent - Colvin Roy.

W&M/Budget – Your Committee, having under consideration one City Council appointment and one Mayor appointment to the Minneapolis Telecommunications Network (MTN) Board for a term to

begin January 15, 2006 and to expire January 15, 2010, now recommends the reappointment of Marido Huber, Ward 1 and Tamir Nolley, Ward 9 be approved.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget – Your Committee, having under consideration the Greater Minneapolis Convention & Visitors Association (GMCVA), now recommends authorizing proper City officers to negotiate and to enter into a third loan in the form of a line of credit in an amount not to exceed \$5 million, to provide additional start up capital for its wholly-owned subsidiary, iDSS, for marketing and software development.

Your Committee further recommends that City staff be directed to:

- a) That within 30 days of execution of the loan three agreement, staff will report back to the Ways & Means Committee with finalized benchmarks, milestones, and metrics; and
- b) Report to Ways & Means Committee within 30 days of any failure of iDSS to satisfy any agreed upon benchmarks, milestones, and metrics.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget – Your Committee recommends the passage of the accompanying resolution relating to Organizational Capacity for Community Engagement.

Adopted 2/24/06.

Absent - Colvin Roy.

Resolution 2006R-094, relating to Organizational Capacity for Community Engagement, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-094

By Johnson, Ostrow

Organizational Capacity for Community Engagement.

Whereas, the City of Minneapolis is committed to continuous improvement of the community engagement activities of its departments and of the City as a whole; and

Whereas, the City of Minneapolis has recently hired a full-time Community Engagement Coordinator and many City departments devote significant financial and staff resources to community engagement activities; and

Whereas, the City of Minneapolis provides citizen participation funding to certain neighborhood organizations to support their role as partners in certain community engagement activities; and

Whereas, one of the City's primary revenue sources for citizen participation funding, the federal Community Development Block Grant (CDBG), is declining annually; and

Whereas, the Neighborhood Revitalization Program (NRP) has provided additional operating support for certain neighborhood organizations; and

Whereas, the final year of statutorily obligated funding for the NRP is 2009; and

Whereas, the City of Minneapolis and its local-government partners represented on the NRP Policy Board (county, parks, schools and libraries) will continue to look to neighborhood organizations as partners in certain community engagement activities after 2009,

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

That the City of Minneapolis agrees to convene a discussion with representatives of its local-government partners and community stakeholders to identify:

- a) the specific, ongoing community-engagement needs of local-government entities and community stakeholders;

b) the level and type of government and stakeholder organizational capacity required to support such community engagement; and

c) the resources required to support that level and type of organizational capacity on an ongoing basis.

The City Coordinator is directed to consult with our governmental partners and with representatives of major stakeholder groups (including but not limited to neighborhood organizations, block clubs, communities of color, new immigrant groups, etc) and to return to the committee within 60 days with a detailed plan and time line for this discussion.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget – Your Committee, having under consideration the Minneapolis Wireless Broadband Initiative, now recommends that the following staff recommendations be **sent forward without recommendation**:

a) Approve of the Business Case, as amended to add narrative and documents supporting the reasons articulating the cost issues and financial constraints and legal and regulatory impediments as well as the complexity of network start up and the ongoing operations management which led to the public/private partnership model prior to pursuing a private-public partnership to produce Broadband Data Access Services to support the City's internal data communications requirements and provide affordable broadband internet services to City residents and businesses;

b) Authorize proper City officers to implement the pilot phase of the Broadband IP Data Access Services program with the two RFP finalists, Earthlink and U.S. Internet;

c) Authorize proper City officers to negotiate a contract for Broadband IP Data Access Services with one or both of the RFP finalists and to return to the Council for final approval.

Your Committee further recommends that City staff be directed to:

d) Incorporate in any contract for Broadband IP Data Access Services a "Community Benefits Agreement"; and

e) Develop a community engagement plan, which details all efforts to engage the community to date and set forth goals for further community engagement processes in order to incorporate community input into a "Community Benefits Agreement." Such plan shall have a timeline, include interested council members in any working group, and shall be received and filed by the Ways & Means Committee.

Ostrow moved that the report be amended by deleting the language "sent forward without recommendation" and inserting in lieu thereof "approved." Seconded.

Adopted by unanimous consent.

Absent - Colvin Roy.

Hofstede moved to amend the report to include in the staff directives to require as a part of a community benefits agreement insurance of meaningful access to bridge the digital divide. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

Gordon moved to divide the report so as to consider staff recommendations "a-c" separately. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

Gordon moved adoption of the balance of the report, as amended. Seconded.

Adopted by unanimous consent 2/24/06.

Absent - Colvin Roy.

W&M/Budget – Your Committee, having under consideration the Minneapolis Wireless Broadband Initiative, now recommends that the following staff recommendation be approved:

a) Approve of the Business Case, as amended to add narrative and documents supporting the reasons articulating the cost issues and financial constraints and legal and regulatory impediments as well as the complexity of network start up and the ongoing operations management which led to the public/private partnership model prior to pursuing a private-public partnership to produce Broadband

Data Access Services to support the City's internal data communications requirements and provide affordable broadband internet services to City residents and businesses.

Adopted 2/24/06. Yeas, 11; Nays, 1 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Johnson.

Nays - Gordon.

Absent - Colvin Roy.

W&M/Budget – Your Committee, having under consideration the Minneapolis Wireless Broadband Initiative, now recommends that the following staff recommendation be approved:

b) Authorize proper City officers to implement the pilot phase of the Broadband IP Data Access Services program with the two RFP finalists, Earthlink and U.S. Internet.

Adopted 2/24/06.

Absent - Colvin Roy.

W&M/Budget – Your Committee, having under consideration the Minneapolis Wireless Broadband Initiative, now recommends that the following staff recommendation be approved:

c) Authorize proper City officers to negotiate a contract for Broadband IP Data Access Services with one or both of the RFP finalists and to return to the Council for final approval.

Adopted 2/24/06. Yeas, 11; Nays, 1 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Johnson.

Nays - Gordon.

Absent - Colvin Roy.

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

Z&P - Your Committee, having under consideration the appeal filed by St. Anthony Mill, LLC, on behalf of Shaefer Richardson, Inc., from the decision of the Heritage Preservation Commission which denied the following applications for Certificates of Appropriateness for development of the Pillsbury "A" Mill at 400 – 2nd St SE, 100 – 3rd Ave SE, 413 Main St SE, 425 Main St SE, 501 Main St SE, 199 Main St SE, 30 – 2nd St SE, 113 – 6th Ave SE:

1. Building D: Demolition of the Hydro-processing Plant and for construction of a 15-story residential building;

2. Building E: Construction of a 27-story residential building;

3. Building F: Construction of a 24-story residential building;

4. Building G: Construction of a 20-story residential building;

Now recommends:

A. Building D: That the appeal be granted regarding demolition of the Hydroprocessing Plant and the COA be approved subject to condition that the wrecking permit will not be signed until the new construction on the site has received all proper City approvals and the related Findings be adopted. Further, that the appeal be granted relating to the construction of a 15-story residential building and the COA be approved subject to the following conditions: The design of all elevations must return to the HPC for approval; the design of the elevations must follow the historic district guidelines for design, materials, color, openings, roof shape, siting, directional emphasis, projections and signage; Without the rooftop pinnacle, this building follows the guidelines recommendation for height. This building is closest to the Pillsbury "A" Mill and should respect the Landmark complex by not rising above the guidelines recommendation; a mitigation plan for the rehabilitation and removal of the train tracks on the entire Pillsbury "A" Mill Complex project must be presented to the HPC for approval, and the related Findings be adopted.

B. Buildings E, F and G: That the appeals be granted and the COA's be approved to allow construction height, subject to the following conditions: The design of all elevations must return to the HPC for approval; the design of the elevations must follow the historic district guidelines for design,

materials, color, openings, roof shape, siting, directional emphasis, projections and signage; a mitigation plan for the rehabilitation and removal of the train tracks on the entire Pillsbury "A" Mill Complex project must be presented to the HPC for approval, and the related Findings be adopted.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Z&P - Your Committee, having under consideration the appeals filed by Bluff Street Development, LLC from the decision of the Heritage Preservation Commission (HPC) which approved applications for Certificates of Appropriateness (COA) of St. Anthony Mill, LLC for the Pillsbury "A" Mill Project, 400 – 2nd St SE, 100 – 3rd Ave SE, 413 Main St SE, 425 Main St SE, 501 Main St SE, 199 Main St SE, 30 – 2nd St SE, 113 – 6th Ave SE, for the following: a) rehabilitation of Warehouse #2; b) demolition of Concrete Grain Elevators and Construction of Building B; and c) demolition of Concrete Grain Elevators and Construction of Building C, now recommends that said appeals be denied and the COA's be approved, and that the related staff findings of the HPC be adopted.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Dunwoody College of Technology to vacate rights-of-ways in the vicinity of Laurel Ave W, Colfax, Ontario and Dupont Aves N (#1473), for parking and landscaping, subject to retention of easement rights by the City of Minneapolis, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said rights-of-ways.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Resolution 2006R-095, vacating rights-of-ways in the vicinity of Laurel Ave W, Colfax Ave N, Ontario Ave and Dupont Ave N, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006-095

By Schiff

Vacating that part(s) of Laurel Avenue West, Colfax Avenue North, Ontario Avenue and Dupont Avenue North (# 1473).

Resolved by The City Council of The City of Minneapolis:

That those part(s) of Laurel Avenue West, Colfax Avenue North, Ontario Avenue and Dupont Avenue North, as opened by the City of Minneapolis, are hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis, its successors and assigns for Water Main Easements and Sanitary Storm and Sewer Easements over the entire described areas to be vacated as follows, to wit:

That part of Laurel Avenue as dedicated in the plat of GROVELAND ADDITION TO MINNEAPOLIS, according to the recorded plat thereof, which lies westerly of a line run between the southwest corner of Block 19, said GROVELAND ADDITION TO MINNEAPOLIS and the northeast corner of Block 25 said GROVELAND ADDITION TO MINNEAPOLIS and lying southerly of a line described as commencing from a point on the southerly extension of the east line of Aldrich Avenue, distant 325.89 feet south of the northwest corner of Block 5, Groveland Addition, run westerly at an angle of 90 degrees 03 minutes 47 seconds with said east line extended (when measured from north to west) for 145.38 feet; thence deflect to the right on a 3 degree 00 minute curve (delta angle 7 degrees 12 minutes 24 seconds) for 240.22 feet; thence on tangent to said curve for 19.75 feet; thence deflect to the left on

a 2 degree 55 minute 57 second curve (delta angle 7 degrees 12 minutes 24 seconds) for 245.75 feet; thence on tangent to said curve for 576.55 feet; thence deflect to the right at an angle of 52 degrees 20 minutes 33 seconds for 139.61 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 83 degrees 21 minutes 35 seconds for 503.02 feet; thence deflect to the right on a 8 degree 08 minute 00 second curve (delta angle 37 degrees 37 minutes 30 seconds) for 462.60 feet; thence on tangent to said curve for 319.87 feet and there terminating.

That part of the following described streets:

- Colfax Avenue (formerly known as 21st Street) as dedicated in the plat of GROVELAND ADDITION TO MINNEAPOLIS, according to the recorded plat thereof.
- Ontario Avenue as dedicated in the plat of said GROVELAND ADDITION TO MINNEAPOLIS
- The East Half of Dupont Avenue (formerly known as 22nd Street) as dedicated in the plat of said GROVELAND ADDITION TO MINNEAPOLIS

which lies northwesterly of a line running parallel with and distant 58 feet easterly of the following described "Line A" and which lies southeasterly of the following described "Line B."

"Line A" is described as from a point on the southerly extension of the east line of Aldrich Avenue, distant 325.89 feet south of the northwest corner of Block 5, Groveland Addition, run westerly at an angle of 90 degrees 03 minutes 47 seconds with said east line extended (when measured from north to west) for 145.38 feet; thence deflect to the right on a 3 degree 00 minute curve (delta angle 7 degrees 12 minutes 24 seconds) for 240.22 feet; thence on tangent to said curve for 19.75 feet; thence deflect to the left on a 2 degree 55 minute 57 second curve (delta angle 7 degrees 12 minutes 24 seconds) for 245.75 feet; thence on tangent to said curve for 576.55 feet; thence deflect to the right at an angle of 52 degrees 20 minutes 33 seconds for 108.16 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 80 degrees 36 minutes 57 seconds for 74.6 feet; thence deflect to the right on a 2 degree 30 minute curve (delta angle 5 degrees 03 minutes 14 seconds) for 202.15 feet; thence on tangent to said curve for 525.96 feet; thence deflect to the right on a 5 degree 30 minute curve (delta angle 33 degrees 45 minutes 03 seconds) for 613.65 feet and there terminating.

"Line B" is described as commencing from a point on the southerly extension of the east line of Aldrich Avenue, distant 325.89 feet south of the northwest corner of Block 5, Groveland Addition, run westerly at an angle of 90 degrees 03 minutes 47 seconds with said east line extended (when measured from north to west) for 145.38 feet; thence deflect to the right on a 3 degree 00 minute curve (delta angle 7 degrees 12 minutes 24 seconds) for 240.22 feet; thence on tangent to said curve for 19.75 feet; thence deflect to the left on a 2 degree 55 minute 57 second curve (delta angle 7 degrees 12 minutes 24 seconds) for 245.75 feet; thence on tangent to said curve for 576.55 feet; thence deflect to the right at an angle of 52 degrees 20 minutes 33 seconds for 139.61 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 83 degrees 21 minutes 35 seconds for 503.02 feet; thence deflect to the right on a 8 degree 08 minute 00 second curve (delta angle 37 degrees 37 minutes 30 seconds) for 462.60 feet; thence on tangent to said curve for 319.87 feet and there terminating.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Star Machine & Tool Company and Mibellie LLC (BZZ-2799) to rezone the property at 624 2nd Ave SE, 218 ½ 7th St SE, and 215 6th St SE from C2 to the I1 District to match the current I1 zoning of the majority of the southerly parcel, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Ordinance 2006-Or-020 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 624 2nd Ave SE, 218 ½ 7th St SE, and 215 6th St SE to the I1 District, was adopted 2/24/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2006-Or-020
By Schiff
1st & 2nd Readings: 2/24/06

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

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

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

That part of the southwest 41 feet of Lots 7 and 8 as measured on the southeasterly and northwesterly lines of said Lot 8 and lying southeast of the northwesterly 95.30 feet of Lots 6 and 7 as measured on the southwest line of said Lots 6 and 7 (624 2nd Ave SE, 218½ 7th St SE, and 215 6th St SE - Plate 14) to the I1 District.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Z&P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration & Enforcement*, to increase fees for reinspections, land use application appeals, planned unit development applications, site plan review applications and to create a fee for applicant requested continuances, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and adoption.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Ordinance 2006-Or-021 amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration & Enforcement*, increasing fees for reinspections, land use application appeals, planned unit development applications, site plan review applications and creating a fee for applicant requested continuances, was adopted 2/24/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2006-Or-021
By Schiff
Intro & 1st Reading: 1/13/06
Ref to: Z&P
2nd Reading: 2/24/06

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

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

Section 1. That Section 525.160 of the above-entitled ordinance be amended to read as follows:

525.160. Fees. (a) Established. In recognition of the cost of services performed and work and materials furnished, persons who desire to avail themselves of the privileges granted them under the zoning ordinance shall pay fees in the amount listed in Table 525-1, Fees.

Table 525-1 Fees

Application Type	Fee (dollars)
Administrative reviews of communication towers, antennas, and base units	200
Administrative reviews to increase height or floor area of accessory structures	250
Appeals of the ruling of the board of adjustment or city planning commission	250 <u>300</u>
Appeals of the ruling of the zoning administrator; planning director or other official involved in the administration or the enforcement of this zoning ordinance	300
Certificates of nonconforming use	500
Conditional use permits	
0-9,999 square feet of lot area	450
10,000-43,559 square feet of lot area	650
43,560 square feet or <u>of</u> lot area or more	850
Conditional use permits related to signs, regardless of lot area	550
Conditional use permits for planned unit developments	4,500 <u>1,900</u>
Environmental reviews	500 or the actual costs of environmental review processes as determined by the planning director, whichever is greater
Expansion or change of nonconforming use	500
Floor area ratio premiums	1,000
Interim Uses	
0-9,999 square feet of lot area	450
10,000-43,559 square feet of lot area	650
43,560 square feet or <u>of</u> lot area or more	850
Shared parking	100
Site plan review	
0-9,999 square feet of lot area	500 <u>650</u>
10,000-43,559 square feet of lot area	750 <u>950</u>
43,560 square feet of lot area or more	1,000 <u>1,250</u>
Administrative site plan reviews	
0-9,999 square feet of lot area	350
10,000-43,559 square feet of lot area	550
43,560; square feet of lot area or more	750
Administrative site plan reviews for single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units	100
Temporary uses	100
Transfer of development rights	350
Travel demand management plans	500

Variances	
0-9,999 square feet of lot area	350
10,000-43,559 square feet of lot area	550
43,560 square feet of lot area or more	750
Variances involving residential uses on reverse corner lots or through lots having less than 10,000 square feet of lot area	150
Waiver of restrictions of interim ordinances	150
Zoning amendments	
0-9,999 square feet of lot area	550
10,000-43,559 square feet of lot area	750
43,560 square feet of lot area or more	950

(b) *Postage and publication.* For applications requiring notice of a public hearing to affected property owners, the applicant shall pay the cost of first class postage based on the number of property owners to be notified. In addition, for applications requiring publication in a newspaper of general circulation, the applicant shall pay a fee of twenty five dollars (\$25.00).

(c) Continuanace. After notification of a public hearing has taken place, a request by the applicant to continue an application to a subsequent public hearing of the city planning commission or board of adjustment shall be charged a fee totaling one hundred fifty dollars (\$150.00) when such request is granted. The fee shall be applied on a project-by-project basis and only when the continuance was requested by the applicant for the sole benefit of the applicant and when the Zoning Administrator determines that substantial staff time is required to review the project.

~~(e)~~ (d) *Forms and payment of fees.* The zoning administrator shall provide applicants with forms, designating therein the amount of fees to be paid. All fees shall be payable to the city finance officer.

~~(d)~~ (e) Refund of fees.

(1) Incomplete applications. If an applicant fails to provide a complete application and the application is withdrawn by the applicant or is deemed withdrawn and returned pursuant to section 525.140(d), the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project. Any sum paid over the amount to be retained shall be refunded.

(2) Complete applications. If an applicant withdraws a complete application before the scheduled public hearing, or in the case of an application for administrative review, before the application is decided by the planning director or zoning administrator, the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project, or such proportion of the fee paid as determined by the costs to the city to process the application up to the time it was withdrawn compared to the costs to completely process the application, whichever is greater. Any sum paid over the amount to be retained shall be refunded. If the scheduled public hearing is held, or if the application is decided by the planning director or the zoning administrator, no fees shall be refunded, whether or not the application is withdrawn, approved or denied.

(3) *Exception.* The city shall refund the total amount of fees paid for any application that was accepted by the zoning administrator in error.

Section 2. That Section 525.570 of the above-entitled ordinance be amended to read as follows:

525.570. Fees for reinspection of property to determine abatement. (a) *Initial inspection and first reinspection.* There shall be no fee charged for an initial inspection to determine the existence of a zoning ordinance violation, nor any fee for the first reinspection to determine compliance with an order to correct a zoning ordinance violation.

(b) *Subsequent reinspections.* A ~~ifty one hundred dollar (\$50.00)~~ (\$100.00) fee shall be charged for each subsequent reinspection occurring after the due date for compliance with an order.

(c) *Notice of reinspection fee.* Every notice of violation and order to correct zoning ordinance violations shall contain a clear and conspicuous explanation of the policy in this section requiring

reinspection fees for subsequent reinspections.

(d) *Waiver*. Upon written request by the applicant, the zoning administrator or director of regulatory services may, for good cause shown and without any notice or hearing, waive a reinspection fee.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Z&P - Your Committee, to whom was referred an ordinance amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to *Heritage Preservation Regulations: Article III: General Application Procedures*, to add a fee schedule and related regulations for applications related to the Heritage Preservation Commission, now concurs in the recommendation of the Heritage Preservation Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and adoption.

Adopted 2/24/06.

Absent: Gordon, Colvin Roy.

Ordinance 2006-Or-022 amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to *Heritage Preservation Regulations: Article III: General Application Procedures*, adding a fee schedule and related regulations for applications related to the Heritage Preservation Commission, was adopted 2/24/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2006-Or-022

By Schiff

Intro & 1st Reading: 1/13/06

Ref to: Z&P

2nd Reading: 2/24/06

Amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations: Article III: General Application Procedures.

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

Section 1. That Chapter 599 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 599.175 to read as follows:

ARTICLE III. GENERAL APPLICATION PROCEDURES

599.175 Fees. (a) Established. In recognition of the cost of services performed and work and materials furnished, persons who desire to avail themselves of the privileges granted them under the heritage preservation ordinance shall pay fees in the amount listed in Table 599-1, Fees.

Table 599.1

<i>Application Type</i>	<i>Fee (Dollars)</i>
Appeal of the ruling of the heritage preservation commission	300
Appeal of the ruling of the zoning administrator, planning director, or other official involved in the administration or the enforcement of this preservation ordinance	300
Certificate of No Change	0
Certificate of Appropriateness	
Alteration	
0-5,000 sf of lot area	250
5,001-9,999 sf of lot area	450
10,000-43,559 sf of lot area	650

43,560 sf of lot area or more	850
New Construction	
0-9,999 sf of lot area	450
10,000-43,559 sf of lot area	650
43,560 sf of lot area or more	850
Historic Variance	250
Transfer Development Rights	350

(b) Postage and publication. For applications requiring notice of a public hearing to affected property owners, the applicant shall pay the cost of first class postage based on the number of property owners to be notified. In addition, for applications requiring publication in a newspaper of general circulation, the applicant shall pay a fee of twenty five dollars (\$25.00).

(c) Continuance. After notification of a public hearing has taken place, a request by the applicant to continue an application to a subsequent public hearing of the heritage preservation commission shall be charged a fee totaling one hundred fifty dollars (\$150.00) when such request is granted. The fee shall be paid prior to the subsequent public hearing.

(d) Forms and payment of fees. The zoning administrator shall provide applicants with forms, designating therein the amount of fees to be paid. All fees shall be payable to the city finance officer.

(e) Refund of fees.

(1) Incomplete applications. If an applicant fails to provide a complete application and the application is withdrawn by the applicant or is deemed withdrawn and returned pursuant to section 599.160(b), the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project. Any sum paid over the amount to be retained shall be refunded.

(2) Complete applications. If an applicant withdraws a complete application before the scheduled public hearing, or in the case of an application for administrative review, before the application is decided by the planning director or zoning administrator, the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project, or such proportion of the fee paid as determined by the costs to the city to process the application up to the time it was withdrawn compared to the costs to completely process the application, whichever is greater. Any sum paid over the amount to be retained shall be refunded. If the scheduled public hearing is held, or if the application is decided by the planning director or the zoning administrator, no fees shall be refunded, whether or not the application is withdrawn, approved or denied.

(3) Exception. The city shall refund the total amount of fees paid for any application that was accepted by the planning director or zoning administrator in error.

Adopted 2/24/06.
Absent: Gordon, Colvin Roy.

MOTIONS

Remington moved that the City support the Minnesota Environmental Initiative's application, on behalf of The Bridge for Runaway Youth, for \$61,000 from the Hennepin County Environmental Response Fund for remediation of hazardous materials at 1111 – 22nd St W. Seconded.

Adopted 2/24/06.
Absent - Gordon, Colvin Roy.
Approved by Mayor Rybak 2/27/06.
(Published 3/1/06)

Gordon introduced the subject matter of an ordinance amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: In General, which was given its first reading and referred to the Transportation & Public Works Committee (deleting Section 427.240 entitled "Dancing on streets")*.

RESOLUTION

Resolution 2006R-096, honoring John Pappas for 21 years of outstanding service as a member of the Minneapolis Board of Appeal and Equalization, was adopted 2/24/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2006R-096

By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring John Pappas for 21 years of outstanding service as a member of the Minneapolis Board of Appeal and Equalization.

Whereas, John Pappas served as an appraiser on the Minneapolis Board of Appeal and Equalization from 1985 - 2005; and

Whereas, John Pappas, a lifelong resident, attended the Minneapolis Public Schools of Lyndale Elementary, Jefferson Junior High, and West High School; and

Whereas, John Pappas attended two different Christian institutions and received a Bachelor of Divinity degree; and

Whereas, John Pappas worked as a deputy assessor for the City of Fridley, later with the Minnesota Department of Revenue assisted in the reassessment of two new cities in the 1950s; and

Whereas, John Pappas worked for TCF from 1957 – 1982 and earned the designation of Senior Residential Appraiser from the Appraisal Institute; and

Whereas, John Pappas worked as a redeveloper and general contractor by bidding on and moving a house out of the 35W construction area to a vacant lot at 3549 Irving Ave S in 1960 and built his home five years later near Lynnhurst Park where he still resides; and

Whereas, John Pappas participated in business, civic, and spiritual activities in Minneapolis, including active support of St. Mary's Greek Orthodox Church; and

Whereas, John Pappas married Mary Pappas in 1953, raised four children, Ruth, Luke, Kathleen and Althea in Minneapolis, resulting in six grandchildren to date;

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

That we commend John Pappas for his active involvement within the City of Minneapolis, not only as an expert appraiser, but also as an esteemed citizen.

Adopted 2/24/06.

Absent - Colvin Roy.

NEW BUSINESS

Ostrow introduced the subject matter of an ordinance amending Title 14, Chapter 370 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Regulations Involving Minors, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (amending Section 370.10, Sale to minors, to prohibit a liquor licensee or the licensee's agents or employees from authorizing other agents or employees of the licensee to serve liquor or beer to a minor).*

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 2/24/06.

Absent - Colvin Roy.

Merry Keefe,
City Clerk.

Unofficial Posting: 2/28/2006

Official Posting: 3/03/2006

Corrections: 3/23/2006