

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
MAY 27, 2016**

(Published June 4, 2016, in *Finance and Commerce*)

CALL TO ORDER

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

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

On motion by Palmisano, the agenda was amended to include under the Order of New Business the creation of a Sick and Vacation Leave Benefits Policies Work Group.

On motion by Bender, the agenda was amended to include under the Order of New Business the following:

1. Notice of intent to introduce an ordinance relating to the zoning definition of half stories.
2. Notice of intent to introduce an ordinance relating to yard and setback requirements in nonresidential zoning districts.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the regular meeting of May 13, 2016, and the adjourned session held May 17, 2016, were accepted.

On motion by Glidden, the petitions, communications, and reports were referred to the proper Committees.

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on May 31, 2016. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

May 27, 2016

On behalf of the Committee of the Whole, Glidden offered Resolution 2016R-209 supporting continued efforts to further transgender equity in the City of Minneapolis.

RESOLUTION 2016R-209

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

Supporting continued efforts to further transgender equity in the City of Minneapolis

Whereas, the City of Minneapolis strives to be an inclusive community; and

Whereas, Minneapolis was the first city in the Nation to ban discrimination based on Transgender identity, when it amended its Civil Rights Ordinance in 1975 by adding language banning discrimination based on “having or projecting a self-image not associated with one’s biological maleness or one’s biological femaleness”; and

Whereas, Minnesota was the first state to ban discrimination based on sexual orientation and gender identity with the 1993 Human Rights Act, explicitly protecting the rights of transgender and gender non-conforming residents to be free from discrimination; and

Whereas the Supreme Court of the United States, courts throughout the nation, and federal agencies such as the Equal Employment Opportunity Commission, all interpret Title VII to include discrimination on the basis of gender identity or sexual orientation; and

Whereas, in 2014 and 2015 Minneapolis received a perfect score in the Human Rights Campaign Municipal Equality Index, an index value that evaluates how inclusive cities' laws, policies, and services are of lesbian, gay, bisexual, and transgender people; and

Whereas, much work has been done, but significant disparities still exist in virtually all areas including employment, healthcare, safety, housing, and access to public spaces; and

Whereas, according to the annual report from the National Coalition of Anti-Violence Programs titled *Hate Violence Against Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Communities in the United States in 2014* (released in 2015), there continues to be a “multi-year trend” indicating that hate violence disproportionately impacts the transgender community – particularly, women, youth and persons of color; and

Whereas, a Minneapolis Transgender Issues Work Group was formed through action of the City Council and Mayor in March 2014, and convened thereafter to examine transgender disparities and other issues, engage the broader community, and make policy recommendations for City government designed to improve the lives of Transgender residents of Minneapolis; and

Whereas, the Minneapolis Transgender Issues Work Group is taking a systematic approach to examine transgender disparities and other issues and develop policy recommendations that could be adopted by the City, including working to develop a 2016-2017 work plan; and

May 27, 2016

Whereas, the Minneapolis Transgender Issues Work Group hosted the first Minneapolis Trans Equity Summit in 2014 and the 2nd annual Minneapolis Trans Equity Summit in 2015 to support and continue to raise awareness of the social, legal and health issues critical for the transgender community; and

Whereas, the goals of the Minneapolis Transgender Issues Work Group align with the City's goals and values; and

Whereas, the City of Minneapolis defines equity as fair and just opportunities and outcomes for all people; and

Whereas, the City of Minneapolis wishes to continue work that will lead to equity for all people, including transgender people; and

Whereas, the City of Minneapolis wishes to join several other cities that have adopted resolutions and policies supporting transgender equity, including Austin, Baltimore, Miami, New York City, San Francisco, Seattle, and others;

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

That the Mayor and City Council of the City of Minneapolis hereby support efforts to further transgender equity in Minneapolis including but not limited to:

1. Supporting efforts to continue hosting community events aimed at increasing awareness and supporting issues critical to the safety and vitality of the transgender community.
2. Supporting efforts to ensure the City's laws, policies and services are inclusive of our transgender community and staff.
3. Supporting efforts to create a permanent advisory body in accordance with the City's Open Appointment process in furtherance of Minneapolis Code of Ordinance section 14.180 enabling the city to "create and support organizations that enhance community engagement in the city's decision-making process."

Be It Further Resolved that the Mayor and City Council support other city, state and national efforts to address, support and protect the rights of transgender and gender non-conforming individuals throughout the nation.

Be It Further Resolved that the Mayor and City Council hereby express their gratitude and appreciation to the Minneapolis Transgender Issues Work Group in leading efforts supporting transgender equity in Minneapolis.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

On behalf of the Committee of the Whole, Glidden offered Ordinance 2016-040 amending Title 2 of the Minneapolis Code of Ordinances relating to Administration by adding a new Chapter 40 entitled "Workplace Regulations," relating to paid time off and sick and safe time.

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

ORDINANCE 2016-040
By B. Johnson, Glidden, Bender, A. Johnson,
Reich, Frey, Warsame, Cano, and Palmisano
Intro & 1st Reading: 10/23/2015
Ref to: COW
2nd Reading: 5/27/2016

Amending Title 2 of the Minneapolis Code of Ordinances relating to Administration by adding a new Chapter 40 relating to Workplace Regulations.

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 40 to read as follows:

CHAPTER 40. –WORKPLACE REGULATIONS.

ARTICLE I. – IN GENERAL

40.10. - Title.

Articles I through III shall be known and cited as the Minneapolis Sick and Safe Time Ordinance.

40.20. - Findings.

The city council makes the following findings:

(a) Healthy individuals, families and communities are the foundation of well-functioning societies. Many factors contribute to health, including the policies and systems that shape the nature of everyday life. Among these policies, the availability of paid leave is a key contributor, as it creates the opportunity for family members both to earn a living and to provide care for their loved ones.

(b) Forty-one percent (41%) of employed Minneapolis residents lack access to earned sick time. The same employees least likely to have paid sick leave or the financial ability to forego wages are in occupations most likely to have contact with the public, especially food services, long term care and health care. Minneapolis workers who work in public-contact occupations, such as service occupations, are less likely to have paid sick time than workers in other occupations.

(c) Family economic security is at risk for workers who lack adequate paid sick leave because workers who lack paid sick leave lose earnings if they miss work to care for themselves, their children, or other family members who are ill or injured. Employees in the city working in low-wage occupations are least likely to have access to paid sick leave and are the least able to forgo wages to take time off to recover

or care for others who may be sick. Employees without earned sick time disproportionately experience poverty, unstable housing and hunger.

(d) Access to paid leave and the ability to take paid leave are not available equally across populations of different incomes or race/ethnicity. Structural racism is a factor not only in health disparities but also in the conditions that create health, such as paid sick leave policies. The city continues to increase in diversity of both residents and those who work in the City. People of color are more likely than white people in Minneapolis to be in low-paying, less secure jobs with few benefits or to work multiple jobs.

(e) The city became one of the first officially recognized community health boards following the passage of the original Minnesota Community Health Services Act in 1976. The city's community health board has the general responsibility for development and maintenance of a system of community health services, including promoting healthy communities and healthy behavior through activities that improve health in a population, such as investing in healthy families; engaging communities to change policies, systems, or environments to promote positive health or prevent adverse health; addressing issues of health equity, health disparities, and the social determinants to health; and preventing the transmission of infectious diseases.

(f) When workers have no paid sick leave or an inadequate amount available to them, they are more likely to come to work when they or their family members are sick. Absent the proper care needed for treatment or recovery, the ill worker's or ill family member's health problems may intensify or be prolonged.

(g) Employees who come to work when they are sick are likely to expose other employees, customers, and members of the public to infectious diseases, such as the flu. Workers with no paid sick leave, or an inadequate amount to take time off to care for a sick child, are likely to send sick children to school or a child care center, thereby potentially spreading contagious illnesses. The lack of access to paid sick leave has public health implications and has contributed to contagious disease outbreaks in Minnesota.

(h) Victims of domestic abuse, sexual assault and stalking with no paid sick leave are less able to receive medical treatment, participate in legal proceedings and obtain other necessary services. In addition, without paid sick leave, domestic abuse victims are less able to maintain the financial independence necessary to leave abusive situations, achieve safety, and minimize physical and emotional injuries.

(i) Paid sick and safe days will promote the safety, health and welfare of the people of the city by reducing the chances that worker's illnesses will intensify or be prolonged, by reducing the exposure of co-workers and members of the public to infectious diseases, and by reducing the exposure of children at schools and day cares to infectious diseases; resulting in a healthier and more productive workforce, better health for older family members and children, enhanced public health and improved family economic security.

(j) Paid sick and safe days will enable victims of domestic abuse, sexual assault, and stalking, and their family members to participate in legal proceedings, receive medical treatment, or obtain other

necessary services and, thus, to maintain the financial independence necessary to leave abusive situations, achieve safety, and minimize physical and emotional injuries.

(k) Through the collective bargaining process, employers and represented workers can develop alternative means of meeting the policy goals underlying the paid leave requirements established by this ordinance.

(l) Over the last few decades, the demographics of the nation's workforce and the structures of the nation's families have undergone significant changes. These changes include a marked increased number of women in the workforce; fewer households with children that have at least one (1) parent staying at home full-time; and more single-parent households. As a result of these and other changes, the demands placed on workers with family responsibilities are greater and more complex today than they were in an earlier era. The city's workforce and families have experienced these changes.

(m) Another marked change from an earlier era is that now far fewer households have a parent who does not work outside the home. Nationally, more than eighty percent (80%) of children are raised in households that are headed by either a working single parent or two working parents.

(n) The number of single-parent households has increased substantially, more than doubling over the last fifty (50) years. Today, one-third (1/3) of families with children are headed by single parents, three-quarters (3/4) of whom work.

(o) To safeguard the public welfare, health, safety, and prosperity of the city, all persons working in our community should have access to adequate paid sick and safe leave, because doing so will ensure a more stable workforce in our community, thereby benefiting workers, their families, employers, and the community as a whole.

40.30. – Purpose.

In enacting and implementing this chapter, the City is exercising its police power to preserve and protect safety, health, and general welfare. The purposes of this chapter are:

(a) To ensure that workers employed in the City can address their own health needs and the health needs of their families by requiring employers to provide a minimum level of paid sick days including time for family care.

(b) To reduce public and private health care costs in the City by enabling workers to seek early and routine medical care for themselves and their family members.

(c) To protect workers employed in the City from losing their jobs while they use sick days to care for themselves or their families.

(d) To assist victims of domestic abuse and their family members by providing them with job-protected paid time away from work to allow them to receive treatment and to take the necessary steps to ensure their protection.

(e) To safeguard the public welfare, health, safety and prosperity of the people of and visitors to the City.

(f) To accomplish the purposes described in subsections (a) – (e) in a manner that is feasible for employers and that does not require employers to provide any additional paid time to their employees if they already provide the same amount of paid time off that can be used for the same purposes and under the same conditions as required in this chapter.

40.40. – Definitions.

The following words and phrases when used in this chapter shall have the meanings ascribed to them in this section:

“Sick and safe time” means leave, paid or unpaid, that may be used for the same purposes and under the same conditions as section 40.220.

“Calendar year” shall mean a regular and consecutive twelve-month period as determined by an employer and may be based on an employee’s employment anniversary date.

“Chain establishment” means an establishment doing business under the same trade name used by two (2) or more establishments, or under the same ownership and doing the same business, whether such other establishments are located in the city or elsewhere and regardless of the type of ownership of each individual establishment.

“City” means the City of Minneapolis.

“Department” means the Minneapolis Department of Civil Rights.

“Director” means the Department of Civil Rights Director.

“Domestic abuse” has the meaning given in Minnesota Statutes, Section 518B.01.

“Employee” means any individual employed by an employer, including temporary employees and part-time employees, who perform work within the geographic boundaries of the City for at least eighty (80) hours in a year for that employer. For purposes of this chapter, employee does not include independent contractors.

“Employer” means a person or entity that employs one (1) or more employees. The term includes an individual, corporation, partnership, association, nonprofit organization, or group of persons. For purposes of this chapter, employer does not include any of the following:

- (a) The United States government.
- (b) The State of Minnesota, including any office, department, agency, authority, institution, association, society or other body of the state, including the legislature and the judiciary.
- (c) Any county or local government, except the City.

“Exempt Employee” means an employee who is exempt from overtime payment requirements under federal or state law.

“Family Member” means the employee’s child, step-child, adopted child, foster child, adult child, spouse, sibling, parent, step-parent, mother-in-law, father-in-law, grandchild, grandparent, guardian,

ward, members of the employee's household, or registered domestic partner as defined in Minneapolis Code of Ordinances Chapter 142.

"Health care provider" means a person licensed in good standing in Minnesota to provide medical or emergency services and employed in that capacity at an hourly rate of at least four (4) times the federal minimum wage, including but not limited to doctors, nurses and emergency room personnel.

"Prevailing wage rate" has the meaning given in Minnesota Statutes section 177.42 and as calculated by the Minnesota Department of Labor and Industry.

"Safe time" means the need for time off under circumstances described in Minnesota Statutes, section 181.9413(b).

"Sexual assault" means an act that constitutes a violation under Minnesota Statutes, sections 609.342 to 609.3453 or 609.352.

"Stalking" has the meaning given in Minnesota Statutes, section 609.749.

40.50. – Annual report.

Beginning in 2018, and each year thereafter, the Director shall provide by March 31st, a written report to the appropriate committee of the city council regarding this chapter. The report shall include, but not be limited to, a discussion of the implementation and enforcement of this chapter, including the number and nature of violations, specific violations, industries and occupations with high rates of violations, and the penalties assessed in the prior year. The report may also include recommendations for possible improvements to this chapter.

40.60. – Preemption.

Nothing in this chapter shall be interpreted or applied so as to create any power or duty in conflict with federal or state law.

40.70. – No assumption of liability.

In undertaking the adoption and enforcement of this chapter, the city is undertaking only to preserve and protect safety, health and general welfare. The city is not assuming liability, nor is it imposing on its officer and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury. This chapter does not create a legally enforceable right against the city.

40.80. – Severability.

If any of the parts or provisions of this chapter or the application thereof to any person or circumstance is held invalid or unconstitutional by a decision of a court of competent jurisdiction, the remainder of this chapter, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this chapter are severable.

40.90. – Effective date.

(a) This chapter is effective July 1, 2017.

(b) For alleged first violations arising during the first twelve (12) months following the effective date of this chapter, other than violations of section 40.240, the Department must only mediate disputes and issue warnings and notices to correct. For subsequent violations arising during the first twelve (12) months following the effective date of this chapter and for violations arising after that time period has passed, the Director may impose the relief and penalties provided in section 40.120.

(c) For employers, other than chain establishments, operating in their first twelve (12) months after the hire date of the employer's first employee are required to provide unpaid sick time but are not required to provide paid sick time. After twelve (12) months, the employer will be subject to the ordinance providing paid sick time. This section will sunset five (5) years from the effective date as defined in section 40.90 (a), at which point the employer will be subject to full enforcement.

ARTICLE II. – IMPLEMENTATION AND ADMINISTRATIVE ENFORCEMENT

40.100. – Authority.

(a) The director has broad authority to implement, administer and enforce this chapter. The director shall have broad authority to investigate possible violations of this chapter whenever it has cause to believe that any violation of this chapter has occurred, either on the basis of a report of a suspected violation or on the basis of any other credible information, including violations found during the course of an investigation.

(b) The director shall promulgate appropriate rules to implement, administer and enforce this chapter. Such rules shall:

(1) be consistent with this chapter and may be relied on by employers, employees, and other persons to determine their rights and responsibilities under this chapter.

(2) establish procedures for fair, efficient, and cost-effective implementation and enforcement of this chapter, including rules ensuring timely review of reports of violation and governing procedure for any appeals to an administrative hearing officer under section 40.130.

(3) establish procedures for informing employers of their duties and employees of their rights under this chapter and monitoring employer compliance.

The director shall publish, maintain, and make available to the public any such initial rules at least ninety (90) days prior to their effective date. Any revisions to published rules shall be published, maintained, and made available to the public at least thirty (30) days prior to their effective date.

40.110. – Implementation.

(a) The director shall work with all relevant city departments, state and federal agencies, divisions, departments, bureaus or institution of government to implement, promote and enforce this chapter. The director shall explore work-sharing agreements with the Minnesota Department of Labor and Industry to accomplish the goals of this chapter.

(b) The director shall develop and implement a multilingual and culturally specific outreach and community engagement program to educate employees and employers about their rights and

obligations under this chapter. This outreach program shall include media, trainings and materials accessible to the diversity of employees and employers in the city.

40.120. – Enforcement.

(a) *Report of violations.* An employee or other person may report to the department any suspected violation of this chapter. A report of a suspected violation may be filed only if the matter complained of occurred after the effective date of this chapter and within three hundred sixty-five (365) days prior to filing of the report.

(b) *Investigation Process.*

1. The department has sole discretion to decide whether to investigate or to pursue a violation of this chapter. If the department decides not to investigate or otherwise pursue a report of suspected violation, the department must provide a written notification to any employee or other person who filed the report that the department is declining to further investigate the report and reason for declining. The employee or other person may within twenty-one (21) days, file a request for reconsideration with the director. The director must provide a written response on the reconsideration within ten (10) days.

2. The department may initiate an investigation pursuant to a complaint or when the director has reason to believe that a violation has occurred. To pursue a violation of this chapter, the director must serve a notice of investigation setting forth the allegations and pertinent facts upon an employer by U.S. mail. The notice of investigation shall be accompanied by a request for a written position statement and may include a request for records or other information. The notice shall also inform the employer that retaliation for claiming rights under this chapter is a basis for additional monetary damages.

3. An employer's position and response to any request for records must be provided to the department as provided in the department's rules. An employer's failure to provide a position statement or to timely and fully respond to a request for records or any other reasonable request issued by the department pursuant to an investigation creates a rebuttable presumption of a violation of this chapter for the purposes of the investigation and determination of violation. An employer that fails to respond to a request for records may not use such records in any appeal pursuant to section 40.130 to challenge the correctness of any determination of violation by the director of damages owed or penalties assessed.

4. Investigations shall be conducted in an objective and impartial manner.

5. The department shall consider any statement of position or evidence with respect to the alleged violation which the employee or person who filed the report of suspected violation or employer wishes to submit.

6. The department may require a fact finding conference or participation in another process with the employer, employee, or other person who filed the report of a suspected violation, and any of their agents and witnesses during the investigation in order to define the issues, determine which elements are undisputed, resolve those issues that can be resolved and afford an opportunity to discuss or negotiate settlement.

(c) *Director determination of violation.* Except when there is an agreed upon settlement, the director must issue a written determination of violation with findings of fact resulting from the investigation and a statement of whether a violation of this chapter has or has not occurred based upon a preponderance

of the evidence before the department. The determination of violation must be issued to the employer and any employee or other person who filed the suspected violation report.

(d) *Relief and administrative fines.* The director may order any appropriate relief for a determination including, but not limited to:

1. Reinstatement and back pay.
2. The crediting to an employee of any accrued sick and safe time accrued but not credited plus payment to the employee of the dollar value of the accrued sick and safe time accrued but not credited multiplied by two (2), or two hundred fifty dollars (\$250), whichever amount is greater.
3. The payment of any accrued sick and safe time unlawfully withheld plus payment to the employee of the dollar amount of accrued sick and safe leave withheld multiplied by two (2), or two hundred fifty dollars (\$250), whichever amount is greater.
4. Up to a one thousand five hundred dollars (\$1,500) administrative penalty payable to the employee for each violation of sections 40.230 or 40.240.
5. An administrative fine payable to the city of up to fifty dollars (\$50) for each day, or portion thereof, a violation of sections 40.250, 40.260 or 40.270 that has continued following written notice to the employer of such violation with a period of no less than five (5) business days to comply. Such funds shall be allocated to the department and used to offset the costs of implementing and enforcing this chapter.

(e) *Failure to exhaust administrative remedies.* If there is no appeal of the director's determination of a violation, that determination of violation shall constitute the city's final decision. An employer's failure to appeal the director's determination of a violation shall constitute a failure to exhaust administrative remedies, which shall serve as a complete defense to any petition or claim brought by the employer against the city regarding the director's determination of a violation.

40.130. – Appeal.

(a) An employee, former employee, or employer may appeal from a determination of violation by filing an appeal in writing with the department within twenty-one (21) days of the date of service of the determination of violation. Failure by the employer to file a timely, written appeal shall constitute admission to the violation, and the violation shall be deemed final upon expiration of the twenty-one (21) day period.

(b) Upon an appeal of the director's determination of a violation, the department shall refer the matter to a Title 1, Chapter 2 administrative hearing officer who, for purposes of this chapter and pursuant to the department's rules, are authorized to hear such appeals.

(c) In such appeal, the hearing officer shall consider the record submitted to it by the department, the written statements of positions by the parties involved, and may, in the discretion of the hearing officer, take testimony to resolve issues of credibility or factual disputes and hear oral arguments. The hearing officer shall reverse the department's determination of violation only upon a finding that it is clearly erroneous. The hearing officer's decision of the appeal shall constitute the city's final decision without any further right of administrative appeal.

(d) The department shall notify the employer and the employee or other person who filed the suspected violation report at issue of the hearing officer's decision.

(e) An employer or employee, to the extent provided by law, may appeal the hearing officer's decision by petition for writ of certiorari to the Minnesota Court of Appeals pursuant to Minnesota Statutes, section 606.01.

40.140. – Civil enforcement.

Where prompt compliance is not forthcoming with a final determination of violation, the department may refer the action to the city attorney to consider initiating a civil action in a court of competent jurisdiction against an employer, for violating any requirement of this chapter and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, the payment of lost wages, the payment of an additional sum as a civil penalty not to exceed twice the amount awarded for lost wages, and reinstatement in employment and/or injunctive relief and shall be awarded reasonable attorneys' fees and costs.

40.150. – Interest.

In any determination of violation under this chapter, the director or hearing officer, as the case may be, shall award interest on all amounts due and unpaid at the rate of interest specified in Minnesota Statutes, Section 549.09.

40.160. – Remedies cumulative.

The remedies, penalties, and procedures provided under this chapter are cumulative.

ARTICLE III. - PAID TIME OFF AND ACCRUED SICK TIME

40.200. – Determination of business size.

(a) An employer's business size for the current calendar year is based upon the average number of employees per week during the previous calendar year.

(b) For a new business, the employer's business size for the current calendar year is based upon the average number of employees per week during the first ninety (90) days after its first employee began work.

(c) In determining the number of employees, all persons performing work for compensation on a full-time, part-time or temporary basis shall be counted, whether or not the persons work in the city.

(d) Employees jointly employed by two (2) employers must be counted by both employers, whether or not maintained on one of the employer's payroll in determining an employer's business size. In those cases in which a professional employer organization is determined to be a joint employer of a client employer's employees, the client employer would only be required to count employees of the professional employer organization, or employees of other clients of the professional employer organization, if the client employer jointly employed those employees.

40.210. – Accrual of sick and safe time.

(a) Employees accrue a minimum of one (1) hour of sick and safe time for every thirty (30) hours worked up to a maximum of forty-eight (48) hours in a calendar or fiscal year. Employees may not accrue more than forty-eight (48) hours of accrued sick and safe time in a calendar or fiscal year unless the employer agrees to a higher amount. Employers shall permit an employee to carry over accrued but unused sick and safe time into the following year.

(b) Exempt employees are deemed to work forty (40) hours in each work week for purposes of accruing sick and safe time, except that such an employee whose normal work week is less than forty (40) hours will accrue sick and safe time based upon the employee's normal work week.

(c) The total amount of accrued but unused sick and safe time for an employee may not exceed eighty (80) hours at any time, unless an employer agrees to a higher amount.

(d) Sick and safe time under this chapter begins to accrue at the commencement of employment of the employee or this chapter's effective date, whichever is later.

40.220. - Use of accrued sick and safe time.

(a) Employees are entitled to use accrued sick and safe time beginning ninety (90) calendar days following commencement of their employment. After ninety (90) calendar days of employment, employees may use sick and safe time as it is accrued.

(b) An employee may use accrued sick and safe time for:

(1) an employee's:

a. mental or physical illness, injury, or health condition;

b. need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or

c. need for preventive medical or health care;

(2) the care of a family member:

a. with a mental or physical illness, injury, or health condition;

b. who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or

c. who needs preventive medical or health care;

(3) an absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:

a. seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;

b. obtain services from a victim services organization;

c. obtain psychological or other counseling;

- d. seek relocation due to domestic abuse, sexual assault, or stalking; or
 - e. take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.
- (4) the closure of the employee's place of business by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency.
- (5) to accommodate the employee's need to care for a family member whose school or place of care has been closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency.
- (6) to accommodate the employee's need to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected closure.
- (c) If the need for use is foreseeable, an employer may require advance notice of the intention to use sick and safe time, but in no case shall require more than seven (7) days' advance notice. If the need is not foreseeable, an employer may require an employee to give notice of the need for sick and safe time as soon as practicable.
- (d) It is not a violation of this ordinance for an employer to require reasonable documentation that the sick and safe time is covered by paragraph (b) for absences of more than three (3) consecutive days.
- (e) An employer may not require, as a condition of an employee's using sick and safe time, that the employee seek or find a replacement worker to cover the hours during which the employee uses sick and safe time.
- (f) An employer must allow an employee to use sick and safe time in increments consistent with current payroll practices as defined by industry standards or existing employer policies, provided such increment is not more than four (4) hours.
- (g) An employer with six (6) or more employees must compensate the employee at the same hourly rate with the same benefits as the employee was scheduled to earn during the time the employee uses their accrued sick and safe time but in no case shall the employee be compensated at a rate less than the rate requirement in Minnesota Statutes, Section 177.24. Employees are not entitled to compensation for lost tips or commissions and compensation is only required for hours that an employee is scheduled to have worked.
- (h) An employer with five (5) or less employees must allow employees unpaid use of accrued sick and safe time.
- (i) A health care provider may only use sick and safe time when the health care provider has been scheduled to work. A health care provider has not been scheduled to work for shifts for which the health care provider chooses to call in and request a shift occurring within twenty-four (24) hours, or for shifts for which the health care provider has only been asked to remain available or on call, unless the health care provider has been asked to remain on the employer's premises.
- (j) An employer may opt to satisfy the requirements of this Chapter for construction industry employees by:

(1) Paying at least the prevailing wage rate as defined by Minnesota Statutes, Section 177.42 and as calculated by the Minnesota Department of Labor and Industry; or

(2) Paying at least the required rate established in a registered apprenticeship agreement for apprentices registered with the Minnesota Department of Labor and Industry.

An employer electing this option shall be deemed in compliance with this Chapter for construction industry employees who receive either at least the prevailing wage rate or the rate required in the applicable apprenticeship agreement regardless of whether the employees are working on private or public projects.

40.230. – Confidentiality and nondisclosure.

If, in conjunction with this chapter, an employer possesses health or medical information regarding an employee or an employee's family member or information pertaining to domestic abuse, sexual assault, or stalking of an employee or an employee's family member, the employer must treat such information as confidential and not disclose the information except with permission of the employee, when ordered by a court or administrative agency, or when otherwise required by federal or state law.

40.240. – Exercise of rights; retaliation prohibited.

(a) It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this chapter.

(b) An employer shall not take adverse employment action or discriminate against an employee because the employee has exercised rights under this chapter. Such rights include, but are not limited to, requesting accrued sick and safe time, using accrued sick and safe time, informing any person about any employer's alleged violation of this chapter, making a complaint or filing an action to enforce a right to accrued sick and safe time under this chapter.

40.250. – Notice and posting.

(a) The department shall, by the effective date of this chapter, publish and make available to employers, in all languages spoken by more than five percent (5%) of the workforce in the city (as calculated by the Department), notices suitable for posting by employers in the workplace informing employees of their rights under this chapter. The Department shall update this notice on December 1 of any year in which there is a change in the languages spoken by more than five percent (5%) of the city workforce.

(b) Every employer shall post, in a conspicuous place at any workplace or job site where any employee works, the notices required by subsection (a). Every employer shall post this notice in English, and any language spoken by at least five (5%) of the employees at the workplace or job site if published by the department.

(c) An employer that provides an employee handbook to its employees must include in the handbook notice of employee rights and remedies under this chapter.

40.260. – Required statement to employee.

Upon request by an employee, the employer must provide, in writing or electronically, information stating the employee's then-current amount of:

- (1) accrued sick and safe time available to the employee, and
- (2) used sick and safe time.

Employers may choose a reasonable system for providing this notification, including, but not limited to, listing information on each pay stub or developing an online system where employees can access their own information.

40.270. – Employer records.

(a) In addition to the employment and payroll records required by Minnesota Rules, Chapter 3315, an employer must maintain accurate records for each employee showing the accrued sick and safe time and the used sick and safe time for each day of the work week.

(b) The records required by this section must be retained for a period of not less than three years in addition to the current calendar year.

(c) An employer must allow an employee to inspect records required by this section and relating to that employee at a reasonable time and place.

(d) An employer with employees who occasionally perform work in the city must track hours worked in the city by each employee performing work in the city.

(e) The Department shall have access to the records required by this section, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this chapter, including but not limited to, inspection of books and records, interviewing employees and former employees, and investigating alleged violations of this chapter.

(f) If an employer fails to maintain or retain adequate records or does not allow the Department reasonable access to the records and an issue arises as to an alleged violation of an employee's rights under this chapter, it shall be presumed that the employer has violated this chapter, absent clear and convincing evidence otherwise.

40.280. – Termination; transfer; separation.

(a) Nothing in this chapter may be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued sick and safe time that has not been used.

(b) If an employee is transferred to a separate division, entity, or location out of the city, but remains employed by the same employer, and the employer does not allow the use of accrued paid sick and safe time outside the city, the employer must maintain the employee's accrued sick and safe time on the books for a period of three years from the time of the transfer. If, within three years of the time of the employee's transfer to separate division, entity, or location out of the city, the employee is transferred back to a division, entity, or location within the city, but remains employed by the same employer, the employee is entitled to all previously accrued sick and safe time accrued but not used at the prior

division, entity, or location within the city and is entitled to use all accrued sick and safe time as provided in this chapter.

(c) If an employee is transferred to a separate division, entity, or location within the city, but remains employed by the same employer, the employee is entitled to all accrued sick and safe time accrued but not used at the prior division, entity, or location and is entitled to use all accrued sick and safe time as provided in this chapter.

(d) When there is a separation from employment and the employee is rehired within ninety (90) days of separation by the same employer, previously accrued sick and safe time that had not been used must be reinstated. An employee is entitled to use accrued sick and safe time and accrue additional sick and safe time at the commencement of reemployment.

40.290. – Employer succession.

When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all accrued sick and safe time accrued but not used when employed by the original employer, and are entitled to use all accrued sick and safe time previously accrued but not used.

40.300. – Employee exchange of hours.

Nothing in this chapter shall be construed to prohibit an employer from establishing a policy whereby employees may voluntarily exchange hours or trade shifts.

40.310. – No effect on more generous sick and safe time policies.

(a) Nothing in this chapter shall be construed to discourage employers from adopting or retaining other leave policies, including accrued sick and safe time policies, that meet or exceed, and do not otherwise conflict with, the minimum standards and requirements provided in this chapter.

(b) Employers who provide their employees sick and safe time under a paid time off policy or other paid leave policy that meets or exceeds, and does not otherwise conflict, with the minimum standards and requirements provided in this chapter are not required to provide additional sick and safe time.

(c) Nothing in this chapter shall be construed to prohibit an employer from establishing a policy whereby employees may donate unused accrued sick and safe time to another employee.

(d) Nothing in this chapter shall be construed to prohibit an employer from advancing sick and safe time to an employee prior to accrual by such employee.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby:

1. Recognizes that many employers in Minneapolis have existing policies allocating annual paid time off or paid sick time (collectively "PTO/PST") each calendar year without requiring direct accrual. Said policies may surpass minimum annual accrual as provided in Title 2, Chapter 40 of the Minneapolis Code of Ordinances, but require PTO/PST to be used within the year without carryover.

2. Directs the City Coordinator's Office, City Attorney's Office, Department of Civil Rights, and the Director of Economic Policy and Development to analyze how said policies can be accounted for within Title 2, Chapter 40, and directs staff to return to the City Council Committee of the Whole with recommendations for doing so by August 17th, 2016.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Directs the City Attorney's Office, Civil Rights Department, and Community Planning & Economic Development Department's Business Licensing Division to prepare to enforce City requirements related to the Sick & Safe Time Ordinance and to ensure adherence to its policies and provisions by licensed businesses, and to prepare to take adverse action against a license or permit holder that fails to comply with the Safe & Sick Time Ordinance.

2. Directs the City Attorney's Office, City Coordinator's Office, and Civil Rights Department to develop rules and regulations to address the impact of non-compliance with the Sick & Safe Time Ordinance on City of Minneapolis vendors and contractors.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

To further articulate and clarify the intent of policy provisions set forth in Chapter 40, Section 110(b), the Minneapolis City Council hereby directs the Civil Rights Department to:

1. Collaborate and consult with staff from the Neighborhood & Community Relations Department and the City Coordinator's Office, among others as necessary, to plan and implement multilingual and culturally-specific outreach and community engagement strategies to educate employees and employers about their rights and obligations under Chapter 40 of the Minneapolis Code of Ordinances.

2. Collaborate, consult, and contract with community-based organizations equipped with the specific expertise, cultural competence, and relationships necessary to most effectively reach and communicate with the full diversity of employees and employers in the city, particularly those most affected by Chapter 40 of the Minneapolis Code of Ordinances.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby directs the Intergovernmental Relations Department to review options for advocating for increased state reimbursement rates for areas such as long-term care, care for people with disabilities, and child care, in order to offset the expected cost increase as a result of sick time, as recommended by the Workplace Partnership Group related to concerns raised by nonprofit employers that rely on government reimbursements for services.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby directs the Civil Rights Department, together with other affected departments, to report quarterly to the City Council on progress related to implementation of the Sick & Safe Time Ordinance.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby directs the City Coordinator's Office, in collaboration with the Department of Civil Rights and Community Planning & Economic Development, to develop a proposal for the creation of a Small Business Compliance Program focused on supporting small businesses as they work towards compliance with the new Workplace Regulations ordinance. The program and its personnel should focus on technical assistance and administrative resources for small businesses up to 15 employees. The program should be capable of providing support for the City's diverse small business and new immigrant communities. Staff are directed to report back to the Committee of the Whole by September 21, 2016, with a program proposal and to include additional funding requests to account for the program in their 2017 budget proposals.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-210 approving the sale of the property at 2953 Pierce St NE (Disposition Parcel No. VH-581) to Justin Daniel Larson and Christian Ann Larson for \$35,900, subject to conditions.

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

May 27, 2016

RESOLUTION 2016R-210
By Goodman

Authorizing sale of land Disposition Parcel VH-581, under the Vacant Housing Recycling Program at 2953 Pierce St NE.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-581 in the Audubon Park neighborhood, from Justin Daniel Larson and Christian Ann Larson, hereinafter known as the Redeveloper, the Parcel VH-581, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-581; 2953 Pierce St NE: Lot 23, Block 1, Summit View Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$35,900 for Parcel VH-581 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 Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$35,900 for Parcel VH-581.

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

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

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-211 approving the sale of the property at 3338 Upton Ave N, (Disposition Parcel No. TF-880) to Alicia Barevich for \$18,000, subject to conditions.

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

RESOLUTION 2016R-211

By Goodman

Authorizing sale of land Disposition Parcel TF-880, under the Vacant Housing Recycling Program at 3338 Upton Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-880 in the Cleveland neighborhood, from Alicia Barevich, hereinafter known as the Redeveloper, the Parcel TF-880 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-880; 3338 Upton Ave N: Lot 9, Block 8, Branham and Greenleaf's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$18,000 for Parcel TF-880; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

May 27, 2016

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$18,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, 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 Redevelopment Plan and/or Program is hereby determined to be the sum of \$18,000 for Parcel TF-880.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

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

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-212 approving the sale of the property at 3449 Lyndale Ave N (Disposition Parcel No. TF-902) to Hawkeye Real Estate Investments LLC for \$30,000, subject to conditions.

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

RESOLUTION 2016R-212

By Goodman

Authorizing sale of land Disposition Parcel TF-902, under the Vacant Housing Recycling Program at 3449 Lyndale Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-902 in the McKinley neighborhood, from Hawkeye Real Estate Investments LLC, hereinafter known as the Redeveloper, the Parcel TF-902, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-902; 3449 Lyndale Ave N: Lot 3, Block 2, Hilltop Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$30,000 for Parcel TF-902; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$30,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, 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 Redevelopment Plan and/or Program is hereby determined to be the sum of \$30,000 for Parcel TF-902.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City or 30 days after title

has been cleared, whichever occurs later; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-213 approving the sale of the property at 3506 Colfax Ave N (Disposition Parcel No. TF-881) to Homes Minnesota LLC for \$14,000, subject to conditions.

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

RESOLUTION 2016R-213

By Goodman

Authorizing sale of land Disposition Parcel TF-881, under the Vacant Housing Recycling Program at 3506 Colfax Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-881 in the McKinley neighborhood, from Homes Minnesota LLC, hereinafter known as the Redeveloper, the Parcel TF-881, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-881; 3506 Colfax Ave N: Lot 15, Block 1, A.Y. Davidson's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$14,000 for Parcel TF-881; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

May 27, 2016

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

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$14,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, 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 Redevelopment Plan and/or Program is hereby determined to be the sum of \$14,000 for Parcel TF-881.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

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

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-214 approving the sale of the property at 3746 Logan Ave N (Disposition Parcel No. TF-878) to Hang Tough Building & Investing LLC for \$1,000, subject to conditions. If Hang Tough Building & Investing LLC fails to close, approving sale of property to DBH Homes, LLC for \$1,000, subject to conditions.

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

RESOLUTION 2016R-214

By Goodman

Authorizing sale of land Disposition Parcel TF-878, under the Vacant Housing Recycling Program at 3746 Logan Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel TF-878, in the Folwell neighborhood, from Hang Tough Building & Investing LLC, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel TF-878, from DBH Homes, LLC hereinafter known as the Alternate Redeveloper, the Parcel TF-878, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-878; 3746 Logan Ave N: Lot 11, Block 7, Newlon and Folwell's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1,000 for Parcel TF-878; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$1,000 for Parcel TF-878; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer 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 May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

May 27, 2016

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$1,000 for Parcel TF-878.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development 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 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that 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 \$300.00 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 Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper 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 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 and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-215 approving the sale of the property at 3822 Lyndale Ave N to A.Vision LLC (Disposition Parcel No. TF-903) for \$29,000, subject to conditions.

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

RESOLUTION 2016R-215
By Goodman

Authorizing sale of land Disposition Parcel TF-903, under the Vacant Housing Recycling Program at 3822 Lyndale Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-903 in the Webber-Camden neighborhood, from A.Vision LLC, hereinafter known as the Redeveloper, the Parcel TF-903, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-903; 3822 Lyndale Ave N: Lot 21, Block 4, "Farnham's Addition To Minneapolis"; and

Whereas, the Redeveloper has offered to pay the sum of \$29,000 for Parcel TF-903; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$29,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, 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 Redevelopment Plan and/or Program is hereby determined to be the sum of \$29,000, for Parcel TF-903.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

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

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-216 approving the sale of the property at 4318 James Ave N (Disposition Parcel No. TF-887) to Ibiza LLC for \$26,000, subject to conditions.

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

RESOLUTION 2016R-216

By Goodman

Authorizing sale of land Disposition Parcel TF-887, under the Vacant Housing Recycling Program at 4318 James Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-887 in the Webber-Camden neighborhood, from IBIZA, LLC hereinafter known as the Redeveloper, the Parcel TF-887 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-887; 4318 James Ave N: Lot 15, Block 2, "Harvey's Addition to Minneapolis"; and

May 27, 2016

Whereas, the Redeveloper has offered to pay the sum of \$26,000 for Parcel TF-887; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$26,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, 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 Redevelopment Plan and/or Program is hereby determined to be the sum of \$26,000 for Parcel TF-887.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City or 30 days after title has been cleared whichever occurs later; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline. The City is in the process of clearing title and closing will take place after title is cleared.

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-217 approving the sale of the property at 4826 Girard Ave N (Disposition Parcel No. TF-904) to Homes Minnesota LLC for \$34,000, subject to conditions. If Homes Minnesota LLC fails to close, approving sale of property to Prima Land Inc. for \$34,000, subject to conditions.

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

RESOLUTION 2016R-217

By Goodman

Authorizing sale of land Disposition Parcel TF-904, under the Vacant Housing Recycling Program at 4826 Girard Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel TF-904, in the Lind-Bohanon neighborhood, from Home Minnesota LLC, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel TF-904, from Prima Land Inc. hereinafter known as the Alternate Redeveloper, the Parcel TF-904, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-904; 4826 Girard Ave N: Lot 19, Block 3, Girard Brookside Park; and

Whereas, the Redeveloper has offered to pay the sum of \$34,000 for Parcel TF-904; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$34,000 for Parcel TF-904; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer 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 May 6, 2016, a public hearing on the proposed sale was duly held on May 17, 2016, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$34,000 for Parcel TF-904.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development 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 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that 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 \$300.00 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 Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper 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 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 and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

On behalf of the Community Development & Regulatory Services Committee, Frey offered Ordinance 2016-041 amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Open Air Motor Vehicle Parking Lots, amending provisions related to the geographical boundaries permitting use of alcohol in parking lots.

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

ORDINANCE 2016-041
By Frey
Intro & 1st Reading: 4/29/2016
Ref to: CDRS
2nd Reading: 5/27/2016

Amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Open Air Motor Vehicle Parking Lots.

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

Section 1. That Section 319.310 of the above-entitled ordinance be amended to read as follows.

319.310. - Prohibited acts. (a) The licensee of a parking lot shall not permit the repairing except in an emergency, dismantling or wrecking of any motor vehicle or the storage of any junk motor vehicle on the parking lot.

(b) No person shall charge, or offer to charge, a fee for parking on any property other than a validly licensed commercial parking lot.

(c) No licensee of a parking lot, nor an agent or employee of a licensee, shall encourage, knowingly allow or knowingly permit the possession or consumption of intoxicating liquor or 3.2 percent malt liquor, as defined by Minnesota Statutes, Section 340A.101, by any person on the licensed premises except where such possession or consumption has been expressly permitted by license or permit granted under Title 13 or Title 14. This prohibition shall not apply to Class A commercial parking lots located within an the area defined as one commencing at the southwesterly bank of the Mississippi River where said riverbank is intersected by the centerline of 4th Avenue South, extended; thence southwesterly along the centerline of 4th Avenue South to the centerline of 6th Street South; thence southeasterly along the centerline of 6th Street South to the centerline of 11th Avenue South; thence northeasterly along the centerline of 11th Avenue South, extended to the southwesterly bank of the Mississippi River, thence northwesterly along said riverbank to the point of beginning, and commencing at the centerline of 7th Street North, thence northwesterly to the centerline of Hoag Avenue, thence northerly along the centerline of Hoag Avenue to the centerline of 6th Avenue North, thence easterly along the centerline of 6th Avenue North to the centerline of 5th Street North, thence southeasterly along the centerline of 5th Street North to the centerline of 3rd Avenue North, thence southwesterly along the centerline of 3rd Avenue North to the centerline of 7th Street North North commencing at the centerline of 4th Avenue South & 6th Street South in a Southeasterly direction to the centerline of 13th Avenue South; thence Northeasterly along the centerline of 13th Avenue South & 6th Street South to the centerline of West River Parkway; thence Northwesterly along the centerline of West River Parkway & 13th Avenue South to the centerline of 12th Avenue South; thence Southwesterly along the centerline of 12th Avenue South & West River Parkway to the centerline of Washington Avenue South; thence

Northwesterly along the centerline of Washington Avenue South & 12th Avenue South to the centerline of 5th Avenue South; thence Southwesterly along the centerline of 5th Avenue South & Washington Avenue South to the centerline of 3rd Street South; thence Northwesterly along the centerline of 3rd Street South & 5th Avenue South to the centerline of 4th Avenue South; thence Southwesterly along the centerline of 4th Avenue South and 3rd Street South to the centerline of 6th Street South. All activities shall be limited to the six hours prior to event start time and three hours after the termination of the event.

(d) Class A commercial parking lots offering special event parking shall not permit, or provide wood burning fires of any kind. Licensees may permit patrons to prepare food on charcoal or propane grills provided that appropriate refuse containers are available and that parking lot litter control measures are enacted.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business, and Gambling licenses as set forth in File No. 16-00679, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 5/27/2016.

(Published 6/1/2016)

The Minneapolis City Council hereby adopts the Findings of Fact, Conclusions and Recommendations derived from a License Settlement Conference hearing allowing Brian Libeck to retain the On Sale Liquor, Class B with Sunday Sales License for Icehouse Inc. at 2528 Nicollet Ave, subject to adherence with the recommendations contained therein, as set forth in File No. 16-00680, and made a part of this report by reference.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby adopts the Rental License Conditions and Stipulated Agreement negotiated between the City of Minneapolis and the licensee for the Rental Dwelling License held by Steven J. Gotham for property at 2653 Lyndale Ave N, allowing the licensee to retain the Rental Dwelling License for said property subject to adherence with the conditions contained therein, as set forth in File No. 16-00681, and made a part of this report by reference.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby adopts the Rental License Conditions and Stipulated Agreement negotiated between the City of Minneapolis and the licensee for the Rental Dwelling License held by Eric Carlson for property at 2718 Hayes St NE, allowing the licensee to retain the Rental Dwelling License for said property subject to adherence with the conditions contained therein, as set forth in File No. 16-00682, and made a part of this report by reference.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby adopts the Rental License Conditions and Stipulated Agreement negotiated between the City of Minneapolis and the licensee for the Rental Dwelling License held by Jim Thomas for property at 3101 & 3103 Queen Ave N, allowing the licensee to retain the Rental Dwelling License for said property subject to adherence with the conditions contained therein, as set forth in File No. 16-00683, and made a part of this report by reference.

On roll call, the result was:

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

Noes: President Johnson (1)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Frey offered Resolution 2016R-218 approving Modification No. 2 to the West Lowry Avenue Redevelopment Plan, designating parcels at 710 31st Ave N and 712 31st Ave N as properties that may be acquired by the City.

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

RESOLUTION 2016R-218

By Goodman

Approving Modification No. 2 to the West Lowry Avenue Redevelopment Plan.

Resolved by the City Council of the City of Minneapolis:

Section 1. Recitals

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City") acting by and through its department of Community Planning and Economic Development, has been granted the authority to

propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2. By Resolution 2003R-244 duly adopted on June 6, 2003 and approved on June 11, 2003, the City approved the West Lowry Avenue Redevelopment Plan. By Resolution 2008R-140 duly adopted on April 18, 2008 and approved on April 22, 2008, the City approved Modification No. 1 to the West Lowry Avenue Redevelopment Plan.

1.3. It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, Modification No. 2 to the West Lowry Avenue Redevelopment Plan ("Modification No. 2"), designating two parcels located at 710 31st Ave N and 712 31st Ave N as property that may be acquired.

Section 2. Findings

2.1. The Council hereby finds, determines and declares that the actions authorized by Modification No. 2 are pursuant to and in accordance with the Project Laws.

2.2. The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid and public assistance to be sought.

2.3. The Council further finds, determines and declares that Modification No. 2 will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the project area by private enterprise.

2.4. The Council further finds, determines and declares that Modification No. 2 conforms to the general plan for the development of the city as a whole.

2.5. The Council further finds, determines and declares that it is necessary and in the best interest of the City at this time to approve Modification No. 2.

Section 3. Approval of the Modification

3.1. Based upon the findings set forth in Section 2 hereof, Modification No. 2 to the West Lowry Avenue Redevelopment Plan, presented to the Council on this date, is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modification

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 Modification No. 2, 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.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby grants Exclusive Development Rights for 24 months on four City-owned parcels at 5348, 5364, and 5368 Riverview Road and 5118 – 54th St E to Minneapolis Public Housing Authority to develop the Minnehaha Townhomes, and authorizes an Exclusive Development Rights Agreement.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Authorizes a one year contract with the Minnesota Homeownership Center as counseling administrator for homeownership, foreclosure prevention, and financial capability counseling services, in the amount of \$275,000, to be broken down as follows: \$110,000 for administration and oversight of homeownership education curriculum, along with foreclosure prevention and detailed financial counseling services. This will include collection and analysis of counseling data; \$80,000 to cover payments to counseling agencies for foreclosure prevention counseling; and \$85,000 for the financial and homeownership counseling services by a network of counseling agencies, as well as collection and analysis of the counseling data.
2. Approves waiver of procurement requirements for foreclosure prevention services and financial capacity and homeowner readiness counseling services that will be subcontracted through the contract with the Minnesota Homeownership Center.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Grants exclusive development rights to Wellington Management, Inc., or related entity, for City-owned properties at 2101 W Broadway (less the easterly 7,012 sq. ft.), 2306 and 2300 Penn Ave N and 2114 23rd Ave N for a period of 18 months, with a possible extension of up to 6 months approvable by the Director of the Department of Community Planning & Economic Development.
2. Authorizes negotiation of business terms with Wellington Management, Inc. for a land sale redevelopment agreement, subject to future City Council review and approval.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes a lease agreement with West Broadway Business and Area Coalition for the City-owned lot at 2034 W Broadway for one year, beginning May 25, 2016, in the amount of \$3,000 for the term.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

The Minneapolis City Council hereby authorizes an increase to contract C-36819 with Blue Sky Veterinary Services, LLC of \$80,000, for a not-to-exceed total of \$130,000, and an extension through April 15, 2017, for in-kind veterinary care for Minneapolis Animal Care and Control.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to contract C-39207 with Dr. Camille McArdle of \$5,025.51, for a not-to-exceed total of \$55,025.51, for veterinary services to Minneapolis Animal Care and Control.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves up to \$310,627 of Fiscal Year 2015 Emergency Solutions Grant (ESG) funds for the following Rapid Rehousing (ESG Services) initiatives: up to \$155,313.50 for St. Stephens Human Services, or an affiliated entity; and up to \$155,313.50 for Catholic Charities or an affiliated entity.
2. Authorizes contract documents with the organizations receiving the ESG funds.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

On behalf of the Health, Environment & Community Engagement Committee, Gordon offered Ordinance 2016-042 adding provisions providing for the licensure and regulation of emergency shelters.

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

ORDINANCE 2016-042
By Gordon
Intro & 1st Reading: 1/29/2016
Ref to: HECE
2nd Reading: 5/27/2016

Amending Title 11 of the Minneapolis Code of Ordinances relating to Health and Sanitation by adding a new Chapter 236 relating to Emergency Shelters.

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 236 to read as follows:

CHAPTER 236. – EMERGENCY SHELTERS

236.10. Definitions. *Emergency shelter* shall have the meaning ascribed to it in the zoning code.

236.20. License required. No person shall operate an emergency shelter without first having obtained an emergency shelter license in accordance with this chapter.

236.30. Fee. The annual fee for an emergency shelter license shall be as established in the license fee schedule.

236.40. Application required. Prior to the operation of any emergency shelter facility, the owner or operator shall file an application with the department of health for a license to operate such facility. The application shall be on a form or in a format prescribed by the department and include all information deemed necessary by the department, including:

(1) Applicant's name, date of birth, address and telephone number or other required contact information;

(2) Name of facility, address and telephone number or other required contact information;

(3) A scaled diagram of the premises clearly showing the floor plan and the location of the building or buildings, and the part or portion thereof intended to be used in the conduct of such facility and under such license;

(4) Proof of ownership of the property, or an executed lease agreement for the property; and

(5) Proof of conformance with applicable zoning regulations and approval by zoning staff.

236.50. Operating requirements. Emergency shelters licensed pursuant to this chapter shall be operated in conformance with the following requirements:

(1) Maintained in a clean and sanitary manner, free of vermin or pests;

(2) Provide accessible laundry service of facilities;

(3) Provide appropriate and compliant restroom and shower facilities;

(4) Provide all services or accommodations on the basis of a resident's gender identity, where relevant;

(5) Operate in compliance with all applicable laws, ordinances and codes, including but not limited to the license management requirements of section 259.250; and

(6) Emergency shelters shall be subject to the Minnesota State Building Code, Minn. Rules, Chapter 1305. Emergency shelters having more than ten (10) occupants shall be classified as R-1 Occupancy and those having ten (10) or fewer occupants shall be classified as R-3 Occupancy. Accessibility requirements shall be as provided by Minn. Rules, Chapter 1311.

236.60. Denial, revocation, suspension, non-renewal or other adverse license action. Any license applied for or issued pursuant to this chapter shall be subject to appropriate adverse license action, including but not limited to denial, revocation, suspension, non-renewal, administrative enforcement pursuant to Chapter 2 and imposition of license conditions pursuant to section 259.165, after notice and opportunity for hearing thereon, for any of the following reasons:

(1) Any violation of this chapter or of any other applicable law, ordinance or code;

(2) Any applicable reason provided in section 259.250; and

(3) The operation or proposed operation of the facility is in violation of any federal, state or local law, ordinance or code, including but not limited to, any requirement related to zoning, building maintenance, fire prevention, health or safety.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby adopts the Blueprint for Equitable Engagement, a five-year plan to ensure an innovative and equitable engagement system for the City of Minneapolis, as set forth in File No. 16-00439 on file in the Office of the City Clerk.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby directs the Neighborhood & Community Relations (NCR) Department:

1. To report to the Health, Environment and Community Engagement Committee annually on progress made in achieving the goals of the Blueprint for Equitable Engagement.

2. To continue working with the City Coordinator's Office of Equity and Inclusion, the City Clerk's Office, and the Civil Rights Department to develop goals, metrics, strategies, and tools for city staff, neighborhood organizations, and boards and commissions to assist them in assessing and improving inclusive and equitable community engagement efforts.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

The Minneapolis City Council hereby authorizes a five (5) year Academic Institutional and Program Affiliation Agreement with the University of Minnesota, School of Nursing to provide clinical experiences for nursing students.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes a five (5) year Academic Memorandum of Agreement with Winona State University, College of Nursing and Health Sciences, Department of Health, Exercise and Rehabilitative Sciences, to provide educational experiences for students in their programs.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to Contract No. 39625 with Wetland Habitat Restorations Ecological, increasing the contract by \$75,000 for a revised contract total of \$140,000, for installation, maintenance, and de-installation of a five (5) block, temporary demonstration pilot for the Northside Greenway Project.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes:

1. Acceptance of a grant from Blue Cross Blue Shield of Minnesota in the amount of \$225,000 for the North Minneapolis Greenway and the formalization of a North Minneapolis Greenway Council.
2. An agreement with Blue Cross Blue Shield of Minnesota for the grant.
3. Passage of Resolution 2016R-219 appropriating funds to the Health Department.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

RESOLUTION 2016R-219
By Gordon and Quincy

Amending The 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600120) by \$225,000 and increasing the revenue estimate (01600-8600120-372001) by \$225,000.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes:

1. Acceptance of a grant from the Energy Foundation in the amount of \$30,000 for energy benchmarking services over nine (9) months.

2. An agreement with the Energy Foundation for the grant.
3. Passage of Resolution 2016R-220 appropriating funds to the Health Department.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**RESOLUTION 2016R-220
By Gordon and Quincy**

Amending The 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600155) by \$30,000 and increasing the revenue estimate (01600-8600155-372001) by \$30,000.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes the submittal of a grant application to the Federal Centers for Disease Control and Prevention for up to \$412,500 annually over five (5) years for implementing prevention strategies for intimate partner violence among adolescents.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes the submittal of a grant application to the Federal Department of Justice for up to \$500,000 over two (2) years for continuation and enhancement of existing community engagement strategies focused on youth violence prevention.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

The Minneapolis City Council hereby:

1. Accepts pass-through and reimbursement dollars from Urban Scholar partner organizations (Minneapolis Public Schools, the Minneapolis Parks and Recreation Board, the State of Minnesota, Hennepin County, and Greater Twin Cities United Way) to cover professional services and wages for Urban Scholars programming for the period of May 23-Aug. 12, 2016, in an amount up to \$61,939.36.
2. Passage of Resolution 2016R-221 approving appropriation to the Civil Rights Department.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**RESOLUTION 2016R-221
By Yang and Quincy**

Amending the 2016 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 Civil Rights Department Agency in the Grants-Other Fund (01600-3000500) by \$61,939.36, and increasing the revenue source (01600-3000500-372001) by \$61,939.36.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Authorizes a revenue agreement with Twins Ballpark, LLC for the City of Minneapolis Police Department to provide two Bomb Unit technicians and one Police Officer K-9 handler, for bomb detection security services at Target Field for up to 30 large scale events during 2016, in an amount up to \$26,000.
2. Passage of Resolution 2016R-222 approving appropriation to the Police Department.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

May 27, 2016

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

RESOLUTION 2016-222
By Yang and Quincy

Amending the 2016 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/decreasing> the appropriation for the Police Department Agency in the Police Department-Special Revenue Fund (01210-4005000) by \$26,000, and increasing the revenue source (01210-4005000-345501) by \$26,000.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Authorizes a five-year State of Minnesota Joint Powers Agreement for the Criminal Justice Data Communications Network (CJDN) Agreement for sharing criminal justice information among criminal justice agencies.
2. Authorizes a Court Data Services Subscriber Amendment to the CJDN Joint Powers Agreement for court-related criminal justice information.
3. Approves quarterly payments of \$21,450 to the State Bureau of Apprehension to access to the CJDN with the annual contract total of \$85,800 and \$429,000 over the five-year term of the agreement.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-223 declaring the week of May 15, 2016, as National Public Works Week.

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

RESOLUTION 2016R-223
By Reich, Palmisano, Gordon, Frey, B. Johnson, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, and A. Johnson

Declaring the week of May 15, 2016, as National Public Works Week.

May 27, 2016

Whereas, the American Public Works Association (APWA) will celebrate the 56th Annual National Public Works Week, which will be held the third week in May with the theme “Public Works Always There;” and

Whereas, National Public Works Week is a celebration of the men and women who play a crucial role and are dedicated in strengthening our community, designing and maintaining infrastructures, and improving our quality of life; and

Whereas, public works services provided in our community are an integral part of our citizens’ everyday lives; and

Whereas, the department’s 1,000 employees know that Minneapolis depends on public works, and the men and women of the profession are always there and always ready; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets, and solid waste collection; and

Whereas, the health, safety, and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff the Public Works Department is materially influenced by the people’s attitude and understanding of the importance of the work they perform;

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

That the City Council acknowledges the significant daily contribution that the employees within the Public Works Department of the City of Minneapolis provide to the citizens and businesses throughout the City during National Public Works Week.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby approves the layout for the following projects in the 2016 BIK28 Protected Bikeways Program, as set forth in File No. 16-00652 on file in the Office of the City Clerk:

1. 11th Ave S from W River Pkwy to 6th St S.
2. Blaisdell Ave S from 29th St W to 40th St W.
3. Franklin Ave E from 29th Ave S to Seabury Ave.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

May 27, 2016

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-224 approving the layout for Hennepin County Project No. 1117, Replacement of the County State Aid Highway (CSAH) 46 Bridge (E 46th St) over Godfrey Pkwy.

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

RESOLUTION 2016R-224

By Reich

Approving the layout for Hennepin County Project No. 1117, Replacement of the County State Aid Highway (CSAH) 46 Bridge (E 46th St) over Godfrey Pkwy.

Whereas, the Hennepin County Department of Transportation (County) has proposed reconstruction of their CSAH 46 bridge over Godfrey Pkwy; and

Whereas, the County has prepared a layout describing the proposed improvements, said layout dated March 23, 2016, on file with the City Engineer, and has submitted said layout to the City of Minneapolis requesting approval; and

Whereas, City and County staff have held meetings with the affected communities and stakeholders in the development of the layout; and

Whereas, City and County staff concurred that the layout will meet the existing and future transportation needs as well as state standards;

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

That the City Council approves the County's layout for the CSAH 46 Bridge Replacement Project.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby adopts the Complete Streets Policy for inclusion as a companion item to "Access Minneapolis," as set forth in File No. 16-00670 on file in the Office of the City Clerk.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby directs staff to return to the Transportation & Public Works Committee by the end of 2016 and by the end of the second quarter of 2017, after engaging with stakeholders, to report on the implementation of the Complete Streets Policy, including updates on multimodal measurement tools, traffic signal policies and practices, and curbside use policy; and to

return to the Committee by August 31, 2016, with recommended approaches to developing greening plans or policies for the City of Minneapolis.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

The Minneapolis City Council hereby authorizes amending and reinstating Contract No. C-38440 with the Lyndale Neighborhood Association for the period of Sept. 30, 2015, through March 31, 2016, for Innovative Graffiti Prevention Micro Grant project activities that were not completed within the contract term or previously amended term.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes Construction Cooperative Agreement No. 51-20-15 with Hennepin County for cost sharing on the Traffic Signal System Renovations Project, as set forth in File No. 16-00655 on file in the Office of the City Clerk.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes:

1. Negotiation and execution of an agreement with Shingle Creek Watershed Management Commission (SCWMC) accepting a grant in the amount of \$17,000 for reimbursement for activities that reduce stormwater runoff to the storm sewer system leading to Crystal Lake in Robbinsdale.
2. Passage of Resolution 2016R-225 approving appropriation of \$17,000 to the Stormwater Fund.
3. Negotiation and execution of an agreement with the Cleveland Neighborhood Association (CNA) in the amount of \$17,000 to carry out the CNA Private Stormwater Management Practices Project.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

May 27, 2016

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

RESOLUTION 2016R-225

By Reich and Quincy

Amending The 2016 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works Department in the Stormwater Fund (07300-6300220-507000) by \$17,000 and increasing the revenue estimate (07300-6300220-3225) by \$17,000.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes:

1. An agreement with the Metropolitan Council for the Metropolitan Council to pay for the construction of twelve (12) bus shelter foundations on Nicollet Mall.
2. Passage of Resolution 2016R-226 approving appropriation of \$275,000 to the Capital Improvements Fund.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

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

RESOLUTION 2016R-226

By Reich and Quincy

Amending The 2016 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works Department in the Capital Improvements Fund (04100-9010937 Project CPV085) by \$275,000 and increasing the revenue estimate (04100-9010937-322502) by \$275,000.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

The Minneapolis City Council hereby authorizes execution of an agreement with the Minneapolis Park and Recreation Board (MPRB) to allow the acquisition of permanent easements for Storm Water Pump Stations located on MPRB-owned land.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes Cooperative Agreement No. PW 27-20-14 with Hennepin County for the reconstruction of County State Aid Highway (CSAH) No. 152, Washington Ave Street Reconstruction Project No. 6727, Hennepin Ave to 5th Ave S.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes Amendment No. 2 to Contract No. C-39702 (OP No. 8117) with Minger Construction Company, Inc., increasing the contract by \$396,806.06, for a revised contract total of \$2,486,166.66, for construction change orders relating to the Hennepin/Lyndale Sanitary Sewer Improvements Project.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes:

1. Execution of a grant agreement with the Mississippi Watershed Management Organization (MWMO) to fund up to \$650,000 for stormwater facilities as a part of the 24th Ave SE Infiltration Project (CSO 56).

2. Passage of Resolution 2016R-227 approving appropriation of \$650,000 to the Stormwater Fund.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 5/27/2016.

(Published 6/1/2016)

May 27, 2016

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

RESOLUTION 2016R-227
By Reich and Quincy

Amending The 2016 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works Department in the Stormwater Fund (7300-9010932-CSW1605STCSO56) by \$650,000 and increasing the revenue estimate (7300-9010932-322502) by \$650,000.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 5/27/2016.

(Published 6/1/2016)

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-228 accepting the donation of annual plantings at Peavey Plaza from the Minneapolis Downtown Council valued at approximately \$15,000.

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

RESOLUTION 2016R-228
By Reich and Quincy

Accepting donation of annual plantings at Peavey Plaza from the Minneapolis Downtown Council.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes, Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the City:

Name of Donor	Gift
Minneapolis Downtown Council	Annual plantings at Peavey Plaza valued at approximately \$15,000; and

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in enhancing the appearance of Peavey Plaza, as allowed by law; and

May 27, 2016

Whereas, the City Council finds that it is appropriate to accept the donation offered;

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

That the donations described above are accepted and shall be used for the public purpose of enhancing and beautifying the public space at Peavey Plaza.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-229 directing the Hennepin County Auditor to cancel the special assessment for water service line repair improvements for payable 2016 and subsequent years' tax files for the property located at 625 - 627 10th Ave SE.

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

RESOLUTION 2016R-229
By Reich and Quincy

Directing the Hennepin County Auditor to cancel the special assessment for water service line repair improvements for payable 2016 and subsequent years' tax files for the property located at 625 - 627 10th Ave SE.

Whereas, in accordance with Minneapolis City Charter, Article IX, the City Council of the City of Minneapolis passed resolutions in 2015 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2016 real estate tax statements; and

Whereas, there is the following described assessment that is erroneously being carried on the real estate tax statement due to an error in the assessment roll;

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

That pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c)(4)(C), the Hennepin County Auditor is hereby directed to cancel the following levied 5-year term special assessment from the 2016 and subsequent years' tax statements:

LEVY	PROJECT	PROPERTY ID	ORIGINAL AMOUNT
01028	16WTR	24-029-24-24-0008	\$7,850.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

May 27, 2016

The Minneapolis City Council hereby authorizes issuance of a Request for Proposals (RFP) to solicit proposals from engineering consulting firms for the 2017-2020 Public Works Consulting Pool. The proper City officers will evaluate the proposals for the consulting pool and return with recommendations for City Council approval.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

Approved by Mayor Hodges 5/27/2016.

(Published 6/1/2016)

The Minneapolis City Council hereby authorizes acceptance of the low responsive bid submitted on OP No. 8250 from Kodru-Mooney, in the amount of \$141,176, to furnish and deliver one (1) 48" metal-seated gate valve for the Public Works Water Treatment and Distribution Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8278 from TMI Coatings, Inc., for an estimated annual expenditure of \$121,550, to furnish and deliver all labor, materials, and incidentals necessary for lime sludge holding tank repair for the Public Works Water Treatment and Distribution Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8290 from Contech Engineered Solutions, in the amount of \$110,800, to furnish and deliver grit chambers to the Public Works Surface Water and Sewer Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

The Minneapolis City Council hereby approves the settlement of Davis Thomas v. City of Minneapolis, MDCR File No. A6657-PS-1A, by payment of \$12,000 to Davis Thomas, and authorizing the City Attorney's Office and the Department of Civil Rights to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves the settlement of the claims of Joanne Meller and Todd Hayes, by a combined payment of \$16,800 to Joanne Meller and Todd Hayes, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves the settlement of Catrice Lynch v. City of Minneapolis by payment of \$10,000 to Catrice Lynch and reasonable attorneys' fees and costs in an amount to be awarded by the Court to her attorneys, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves the settlement of claim City of Minneapolis v. Copeland Trucking Inc. by payment of \$45,268.67 by Great West Casualty Company to the City of Minneapolis and authorizing the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the single bid of AVI Systems, Inc. (OP No. 8286) in the amount of \$78,092.67 to furnish and deliver all labor, materials and incidentals necessary for the Upgrading Playback System in City Hall for the Minneapolis Communications Department.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves the following City Council appointments to the Capital Long-Range Improvement Committee for one year terms, beginning Jan. 1, 2016, and ending Dec. 31, 2016:

1. Jeremy Bergerson, fulfilling the term of Lindsey Wollschlager, Ward 2
2. Katie Jones Schmitt, filling a vacancy in Ward 10

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves an application for a free wireless community account through the Wireless Minneapolis Community Benefits program for Rainbow Terrace Public Housing Highrise.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2016R-230 accepting donations for conference expenses for the Neighborhood and Community Relations Department staff for travel to Sweden to discuss outreach efforts to immigrant communities.

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

RESOLUTION 2016R-230

By Quincy

Accepting donations for conference expenses for the Neighborhood and Community Relations Department.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor

United States Department of State

Gift

Expenses including registration, travel, lodging, meals, and transportation Community Specialist Abdirashid Ahmed to travel to Sweden discuss outreach efforts to the East African Community used in Minneapolis.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in: participating in discussion on community engagement techniques with Swedish cities;

Whereas, the City Council finds that it is appropriate to accept the donations offered;

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

That the donations described above are hereby accepted and shall be used for sharing community engagement techniques with Swedish officials.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

The ZONING & PLANNING Committee submitted the following reports:

The Minneapolis City Council hereby:

1. Grants an appeal, with conditions as set forth in Legislative File No. 16-00700, submitted by St. Paul Development Corporation regarding the following decisions of the Heritage Preservation Commission:
 1. Denying a Certificate of Appropriateness application (BZH-29041), notwithstanding staff recommendation, to construct a new four-story, five-unit residential building on the southern half of the property next to the F. E. Day House located at 1900 Colfax Ave S.
 2. Denying an Historic Variance (BZH-29041), notwithstanding staff recommendation, to maintain the existing setbacks from the interior property line of the F. E. Day House located at 1900 Colfax Ave S.
2. Adopts the Findings of Fact and Record of Decision, as prepared by the City Attorney's Office.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Denies an appeal submitted by Justin D. Ebel of the Zoning Board of Adjustment's decision denying a Certificate of Nonconforming Use (BZZ-7516) for the sale of used vehicles at the property located at 2636-2638 West Broadway.
2. Adopts staff findings as submitted by Community Planning & Economic Development.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Approves an application submitted by 1911 Nicollet, LLC to rezone (BZZ-7646) the property located at 1911 Nicollet Ave from the C1 Neighborhood Commercial District to the C2 Neighborhood Corridor Commercial District, retaining the existing PO Pedestrian Oriented Overlay District, to allow two separate commercial structures to be combined.
2. Passage of Ordinance 2016-043 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The following is the complete text of the unpublished summarized Ordinance:

ORDINANCE 2016-043
By Bender
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 5/27/2016

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:

Lot 11, Block 31, Jackson Daniels and Whitney's addition to Minneapolis, together with that part of vacated alley accruing thereto by reason of the vacation thereof, Hennepin County, Minnesota (1911 Nicollet Avenue – Plate #20) to the C2 Neighborhood Corridor Commercial District, retaining the existing PO Pedestrian Oriented Overlay District.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby approves the staff recommendation that the Environmental Assessment Worksheet (EAW) and the Findings of Fact prepared for the proposed 600 Washington Avenue SE development located at 600 and 612 Washington Ave SE and 311 Harvard St SE are adequate, and the preparation of an Environmental Impact Statement (EIS) is not required.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

REPORTS OF SPECIAL COMMITTEES

The AUDIT Committee submitted the following report:

The Minneapolis Audit Committee hereby refers to the City Council the Employee Separation Internal Audit Report, which was received and ordered published on May 24, 2016.

The Minneapolis Audit Committee hereby refers to the City Council the Department of Neighborhood & Community Relations (NCR) Neighborhood Programming and Support Internal Audit Report, which was received and ordered published on May 24, 2016.

The Minneapolis Audit Committee hereby:

1. Refers to the City Council the Transportation Management Organization (TMO) Internal Audit Report, which was received and ordered published on May 24, 2016.
2. Directs staff to provide the report to the Metropolitan Council.
3. Directs staff to refer to the Mayor the Audit Committee's recommendation that the 2017 budget incorporates funding for the Internal Audit Department to include ongoing means to investigate emergent fraud, waste, and abuse concerns across the City enterprise, including requests from City departments and/or risk assessments of organizations that the City does business with.

On motion by Palmisano, the reports of the Audit Committee were received and filed.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability, amending regulations for lots containing two or more zoning classifications.

RESOLUTIONS

Resolution 2016R-231 honoring Gary Warnberg for 27 years of service to the City of Minneapolis was adopted.

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

RESOLUTION 2016R-231

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

Honoring Gary Warnberg for 27 Years of Service to the City of Minneapolis.

Whereas, Gary Warnberg has had a distinguished career with the City of Minneapolis for over 27 years, serving as only the fifth purchasing director in the history of the City; and

Whereas, Gary's institutional knowledge and understanding of the importance of balancing the needs of today with an eye toward the future contributed to professionalizing procurement practices for the City; and

Whereas, Gary has served as the delegate Chair of the Permanent Review Committee (PRC) since 1992, reviewing all Requests for Proposals (RFPs) for services estimated to exceed \$50,000; and

Whereas, Gary's leadership and commitment to the environment led Minneapolis to become one of the first cities in the United States to adopt a comprehensive Environmental Purchasing Policy in 2008; and

Whereas, Gary's City friends and colleagues will miss his hard work and leadership on behalf of the City, but will miss even more his respectful nature, his commitment to be a role model and mentor, his calm demeanor, and hearing him say, "it is what it is"; and

Whereas, Gary has always been a dedicated family man, he is making his wife work another year while no longer having a chauffeur, after 27 years with the City he is considering a significantly long Honey-Do list, he is seeking new and exciting volunteer gigs, he is learning to cook, and he is doing his wife's bidding for their favorite family charity; and

Whereas, Gary will no longer be concerned with the Uniform Municipal Contracting Act (UMCA) and will pay far more attention to the United States Golf Association (USGA); and

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

That the Minneapolis City Council does hereby present this Honorary Resolution in recognition and appreciation for the many contributions and improvements made by Gary Warnberg during his 27 years of service to the City of Minneapolis.

Be It Further Resolved that the members of the City Council wish Gary continued success, happiness, good health and personal fulfillment during his retirement years.

May 27, 2016

Resolution 2016R-232 honoring George Garnett for his contributions to the State of Minnesota and the City of Minneapolis was adopted.

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

RESOLUTION 2016R-232

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

Honoring George Garnett for His Contributions to the State of Minnesota and the City of Minneapolis.

Whereas, George Garnett was a passionate advocate for civil rights and social action, economic empowerment, education, and alleviating poverty; and

Whereas, George Garnett had nearly unparalleled knowledge and experience in the community development field in Minnesota; and

Whereas, George Garnett was instrumental in establishing community development organizations throughout Minneapolis; and

Whereas, George Garnett dedicated his career and life to helping low-income individuals gain the skills and support they need to become contributing citizens in their communities; working to extend employment opportunities to disadvantaged people of color and women in the construction and healthcare workforces; and

Whereas, George Garnett helped create and launch an innovative, one-of-a-kind contextualized GED training program to assist the tens of thousands of adults in the Twin Cities that do not have a high school degree; and

Whereas, George Garnett worked tirelessly and passionately with legislators, philanthropists, and the local community leaders to design and provide solutions and pathways to economic and social justice and sustainability; and

Whereas, George Garnett served the state and the Twin Cities on many board appointments, helping to develop and stabilize hundreds of units of affordable housing and expanding homeownership opportunities for the African American community and operating community-based housing programs; and

Whereas, George Garnett was a gracious mentor to many, with tremendous vision, heart and ability to draw the best out of everyone around him; and

Whereas, George Garnett was a brilliant strategist and a tireless worker who engaged the highest hopes of others and brought many dreams of a better life to reality;

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

That the City Council declares the 23rd Day of May 2016 to be George Garnett Day in the City of Minneapolis.

May 27, 2016

Resolution 2016R-233 honoring Steve Kotke for his service and dedication to the City of Minneapolis was adopted.

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

RESOLUTION 2016R-233

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

Honoring Steve Kotke for his Service and Dedication to the City of Minneapolis.

Whereas, Steve Kotke, Director of Public Works and City Engineer, first entered employment in the Public Works Department in 1989 and worked as a paving engineer, Director of General Services (aka Property Services), and Deputy Director, Internal Services before his appointment by Mayor R.T. Rybak to lead the department in 2006; and

Whereas, Mr. Kotke carried out the significant duties and responsibilities of Public Works Director with the public's best interest always as his highest priority, balancing complex and competing interests with adept technical and political skill to find the best path forward for Minneapolis; and

Whereas, Mr. Kotke had the courage and fortitude to tackle challenges big and small, always striving to continuously improve, sorting out issues related to finances, regulations, infrastructure and development projects, organizational structure, staffing, and a wide array of other issues, all of which will continue to have significant positive impact on the City for many years to come; and

Whereas, Mr. Kotke expertly led the department through several catastrophic events including the 35W bridge collapse, multiple wind storms, two tornados, and a gas main explosion; and

Whereas, Mr. Kotke led the department through the 35W bridge rebuilding, reopening the Plymouth Avenue Bridge and the Sabo Bridge, Southwest LRT negotiations and Municipal Consent, the Blue and Green LRT lines, MARQ2, Crosstown Commons, 35W Transit Access, One Sort recycling, Organics roll out, facility plans, Complete Streets policy, protected bike lanes, and bike trails including the Cedar Lake Trail and Dinkytown Greenway; and

Whereas, Mr. Kotke served as a leader for the City on transportation funding, changes to project delivery methodology, managing LGA cuts, regional funding, Downtown Action Plan, Access Minneapolis, Green Fleet policy, building the Hiawatha LEED certified facility, as well as significant bridge projects including Northtown, Camden, Plymouth, 10th Avenue and Bridge 9; and

Whereas, Mr. Kotke expertly managed the City's largest department with 1,000 employees, a \$335 million operating budget and a \$110 million capital budget; and

Whereas, Mr. Kotke is bilingual and is renowned for his ability to translate Engineer-ese into English so elected officials, staff, and community stakeholders fully understand Public Works projects; and

Whereas, Mr. Kotke is widely respected by a broad array of partners and stakeholders and sought out for advice on issues well beyond the duties typically under the purview of a Public Works director; and

May 27, 2016

Whereas, Mr. Kotke will be deeply missed by the City's elected officials, department heads, staff, and fellow members of the Public Works Department as a leader, Professional Engineer, colleague, and friend;

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

That the Mayor and City Council commend Steve Kotke for his dedication and exemplary service to the City of Minneapolis and expresses its deep gratitude and appreciation to him for his outstanding commitment to the City.

Be It Further Resolved that the Mayor and City Council congratulate Steve Kotke for his many significant accomplishments and wish him much happiness and fulfillment in all of his new ventures.

Resolution 2016R-234 honoring Carolyn H. Roby for 22 years of service to the Minneapolis Workforce Council was adopted.

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

RESOLUTION 2016R-234

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

Honoring Carolyn H. Roby for 22 years of service to the Minneapolis Workforce Council.

Whereas, Carolyn began her career at Northwestern National Bank of Minneapolis in 1980 and she is a trusted colleague who has been committed, connected, and invested in helping Wells Fargo have a positive impact in the community, with team members, and customers. Carolyn has been with Community Relations for most of her career helping Wells Fargo to navigate many changes, including name changes and mergers; and

Whereas, Carolyn has served on numerous Wells Fargo initiatives and task forces over the years, in addition to her leadership in the community. Most recently, Carolyn led Wells Fargo's Market Priorities Workgroup as part of the Strategic Philanthropy Steering Committee, which will provide an important roadmap and tools for market leaders and team members to do more focused giving in their communities; and

Whereas, Carolyn serves as a board member of the Opus Foundation; and

Whereas, Carolyn has served as a board member of the Minnesota Council on Foundations, the Children's Theatre Company, and the Loft; and

Whereas, Carolyn has served on the Minneapolis Workforce Council since 1994 and has been Chair for 10 of those years; and

Whereas, through her work on the Minneapolis Workforce Council, Carolyn has continued to keep Minneapolis residents' interests at the forefront of many iterations of employment and training programs over the years with her leadership and focus on equity in employment, helping thousands of Minneapolis residents find career paths, and reach self-sufficiency; and

May 27, 2016

Whereas, Carolyn has played an integral role in developing and supporting an effective network of community-based service delivery organizations within the City of Minneapolis; and

Whereas, under Carolyn's active leadership, the City of Minneapolis Employment and Training has earned numerous awards, commendations, certificates of appreciation and recognition for outstanding service delivery, efficiency, and effectiveness – most notably the nationally recognized STEP-UP Program, providing 21,000 internships since inception; and

Whereas, Carolyn has earned the respect of her colleagues in workforce development for her unwavering commitment to a responsive, high-quality community-based delivery system.

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

That we commend Carolyn H. Roby for her years of outstanding service with Wells Fargo and the Minneapolis Workforce Council and her commitment to deliver world class employment and training services to the residents and employers in Minneapolis and for her untiring work on behalf of the well-being of families, youth, neighborhoods, communities, and the state to close Minnesota's economic and employment disparities.

Be It Further Resolved that we wish Carolyn much happiness in retirement, and the Council and the Mayor extend their sincere hope for many more years of continued engagement with the community and quality time with friends and family.

Resolution 2016R-235 declaring the 1st of July "Somali American Day" in the City of Minneapolis was adopted.

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

RESOLUTION 2016R-235

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

Declaring the 1st of July "Somali American Day" in the City of Minneapolis.

Whereas, the independence day of Somalia is a national holiday observed annually in Somalia and the Diaspora worldwide on the 1st of July; and

Whereas, many Somali refugees and their families immigrated to the United States, and today Somali Americans are one of the fastest growing immigrant groups in Minneapolis; and

Whereas, like many immigrant groups before them, Somali Americans sought shelter in the United States to escape war and persecution, to find opportunities, and to better their lives and the lives of their children; and

Whereas, Somali Americans play an integral role in building a vibrant and diverse Minneapolis, contributing socially, culturally, politically, and economically to our city;

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

May 27, 2016

That the 1st of July every year be and hereby is declared "Somali American Day" in the City of Minneapolis. In making this declaration, the City recognizes and celebrates the history, culture, and contributions of Somali Americans in Minneapolis.

Be It Further Resolved that the 35W Bridge shall be lit light blue and white on July 1, 2016, in honor of Somali American Day.

MOTIONS

On motion by Palmisano, a Sick and Vacation Leave Benefits Policies Workgroup was established based on the considerations included in the recently completed Internal Audit Employee Separation Analysis and the City's efforts around Safe and Sick Time. The Workgroup will examine the benefits and risks in the City's current sick and vacation leave policies in order to determine if modifications are warranted. The Workgroup will be led by the City Coordinator's office in coordination with City Departments (including Human Resources, Finance and the City Attorney's office) and representatives from appropriate labor organizations, in consultation with the Director of Internal Audit, and report back to City Council by November 4, 2016.

UNFINISHED BUSINESS

On motion by Glidden, the prevailing wage requirements for public improvement contracts ordinance was referred to the Ways & Means Committee.

NEW BUSINESS

B. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, updating sections related to door-closing devices and licensing standards to reflect current code and charter references.

B. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing, amending the department with oversight responsibility of traffic control within the code to reflect current structure.

Yang gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Administration and Licensing, amending provisions related to the geographical boundaries authorized for operating sidewalk cart food.

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions, amending the definition of "half story."

May 27, 2016

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending yard and setback requirements in nonresidential zoning districts:

1. Chapter 548 Commercial Districts.
2. Chapter 549 Downtown Districts.
3. Chapter 550 Industrial Districts.

ADJOURNMENT

On motion by Glidden, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the legal matter of *Garcia v. Lehner and the City of Minneapolis*, Court File No. 15-cv-3214 (SRN/HB).

ADJOURNED SESSION

Council President Johnson called the adjourned session to order at 11:10 a.m. in Room 315, a quorum being present.

City Attorney Susan Segal stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the legal matter of *Garcia v. Lehner and the City of Minneapolis*.

At 11:12 a.m., on motion by Glidden, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(d) to discuss the legal matter of *Garcia v. Lehner and the City of Minneapolis*, Court File No. 15-cv-3214 (SRN/HB).

Present - Council Members Kevin Reich, Cam Gordon (in at 11:14 a.m.), Jacob Frey (in at 11:16 a.m.), Blong Yang, Abdi Warsame, Lisa Goodman (in at 11:21 a.m.), Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Also Present - Susan Segal, City Attorney, Tim Skarda, Litigation Manager, Assistant City Attorney Sarah McLaren; Bruce Folkens, Police Department; City Clerk Casey Joe Carl and Jackie Hanson, City Clerk's Office.

McLaren summarized the issues of the *Garcia v. Lehner and the City of Minneapolis* lawsuit from 11:12 a.m. to 11:36 a.m.

At 11:36 a.m., on motion by Glidden, the meeting was opened.

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

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk