

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
SEPTEMBER 23, 2016**

(Published October 1, 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 Yang, the agenda was amended to include under the Order of Resolutions a resolution honoring the outstanding athletic achievements of T'Nia Riley, the fastest girl in Minneapolis.

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

On motion by Glidden, the minutes of the regular meeting of September 2, 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 September 28, 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:**

On motion by Glidden, Quincy, and Warsame, unanimous consent was granted to introduce and give first reading for the following ordinances amending the Minneapolis Code of Ordinances, amending provisions relating to the Target Market Program:

1. Title 2, Chapters 17 and 18 relating to Administration: Finance Department and Administration: Purchasing.
2. Title 7, Chapter 139 relating to Civil Rights: In General.

3. Title 16, Chapter 423 relating to Planning and Development: Small and Underutilized Business Enterprise Program.

On behalf of the Committee of the Whole, Glidden offered Ordinance 2016-062 amending Title 2 of the Minneapolis Code of Ordinances relating to Administration, adding a new Chapter 18A relating to the Target Market Program, and amending provisions related to the Target Market Program contained in Chapter 17, Finance Department, and Chapter 18, Purchasing.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2016-062**  
**By Glidden, Quincy, and Warsame**  
**Intro & 1st Reading: 2/12/2016 and 9/23/2016**  
**Ref to: COW**  
**2nd Reading: 9/23/2016**

**Amending Title 2 of the Minneapolis Code of Ordinances relating to Administration.**

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

Section 1. That Section 17.60 contained in Chapter 17, Finance Department, be amended to read as follows:

**17.60. - Duties of finance officer.**

The finance officer:

- (a) Shall oversee all functions of the finance department.
- (b) Shall serve as treasurer to all city boards and commissions but shall not be a member of any city board or commission.
- (c) The finance officer may, with the consent of the city council, appoint an assistant finance officer who shall assist in the duties of the office and act as finance officer in the absence of the finance officer.
- (d) Shall assume all of the powers and duties that an assistant coordinator of finance and management would have and shall assume all of the powers and duties of the finance officer set forth in the City Charter or applicable laws of the State of Minnesota and such additional powers and duties as may be delegated to the finance officer by the city coordinator or the city council.
- (e) Shall assure that all administrative duties are performed as are set forth in Chapter 16 of this Code.
- (f) Shall sign all bonds, orders, certificates or other evidences of indebtedness of the city, or any of its boards, before any such bond, order, certificate or other evidence of indebtedness shall be valid.
- (g) Shall sign all bond documents and documents conveying city interest in real estate. ~~The city council may delegate by resolution the power to make and execute contracts on behalf of the city to certain persons or to certain position titles within the city. The delegated authority to make and execute~~

~~contracts on behalf of the city shall only be for contracts of a limited dollar amount and a limited term as approved by the city council. All contracts made under the authority of this shall section shall be in a written form approved by the city attorney. The finance officer shall sign all city contracts except for those contracts of limited amount and limited terms delegated by the city council to be signed by a particular designee. The finance officer may designate up to two (2) persons regularly employed in the office to sign city contracts on behalf of the finance officer. The designees shall have the same authority to sign city contracts as the finance officer, except for bond and real estate conveyancing documents. The finance officer shall also keep all records of all city contract documents, including the authority to enter into a contract and any other records deemed necessary. The finance officer also may establish those administrative procedures necessary for the management of city contracts.~~

(h) Shall sign all city contracts, and shall sign park board contracts as required in section 18.100, except under the following circumstances:

(1) The finance officer may designate up to two (2) persons regularly employed in the office to sign city contracts, and park board contracts under section 18.100, on behalf of the finance officer. The designees shall have the same authority to sign city contracts, and park board contracts under section 18.100, as the finance officer, except for city bond and city real estate conveyancing documents.

(2) The city council may, by adopting a resolution, approve the use of a city form contract that is:

a. Pre-approved by the city attorney; and

b. Consistent with the policies and procedures established, maintained, and modified from time to time by the city attorney and the finance officer. The policies and procedures must indicate the terms and conditions, and justifications for the city attorney to make non-material changes to any pre-approved form contracts adopted by resolution.

The city resolution must specify the title or position of those authorized to sign the form contract and the circumstances when the form contract may be used. A separate resolution for a city form contract may be adopted for professional, technical, and service contracts that are anticipated to be less than or equal to one hundred thousand dollars (\$100,000.00).

(i) Shall keep all records of all city contract documents, including the authority to enter into a contract and any other records deemed necessary. The finance officer also may establish those administrative procedures necessary for the management of city contracts.

~~(h)~~ (j) Shall receive all moneys belonging to the city, including license money and fines, and keep an accurate and detailed account in such manner as directed by the city council.

~~(k)~~ (k) Shall control public lands and buildings owned or leased by the city for municipal operations under the jurisdiction of the city council and shall take such measures for the proper maintenance and protection of public lands and buildings as in the judgment of the finance officer may be necessary. The finance officer shall also purchase or sell public lands and buildings subject to the approval of the city council. All leases of public property must involve adequate consideration to reimburse the city for property expenses. This subsection shall not apply to purchases, sales or leases for development purposes, or to those certain public lands and buildings that the city coordinator and city engineer determine are more appropriately maintained and controlled by a separate city official.

Section 2. That Section 18.100 contained in Chapter 18, Purchasing, be amended to read as follows:

**18.100. - Bidded contracts.**

Contracts for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property shall be drawn by the city attorney, except contracts for the park board, which shall be drawn by the attorney for the park board. These contracts shall be signed by the city finance officer or ~~the finance officer's designee pursuant to administrative guidelines adopted by the finance department~~ a designee as allowed under section 17.60. ~~Board contracts shall be signed by the president of the board and the city finance officer or the city finance officer's designee.~~ Board contracts shall be signed by the president of the board. Board contracts shall also be signed by the city finance officer or a designee as allowed under section 17.60. Contracts shall be accompanied by a performance bond and a payment bond of the contractor to the city or the board making the contract for the full amount of the contract price or some other amount determined by the finance officer that is reasonable and necessary for the protection of the city. The city finance officer or the city finance officer's designee shall sign the bonds. Copies of all contracts shall be kept by the finance department and copies shall be sent by the finance department to the appropriate city departments or boards.

Section 3. That section 18.105 contained in Chapter 18, Purchasing, be amended to read as follows:

**18.105. - Other contracts.**

All ~~other~~ contracts not regulated by section 18.100, including but not limited to ~~contracts for professional services,~~ professional, technical, and service contracts, leases, joint powers agreements, maintenance agreements, real estate sales, loan agreements, purchases or leases, intergovernmental agreements, or any other contracts shall be in written form approved by the city attorney. ~~Contracts for professional services made and executed in a dollar amount less than or equal to fifty thousand dollars (\$50,000.00) shall be in written form approved by the city attorney and consistent with the policies and procedures of the finance department or other directives of the city's finance officer.~~ Performance bonds and payment bonds ~~will~~ may be required for these contracts at the discretion of the city's finance officer.

Section 4. That section 18.120 contained in Chapter 18, Purchasing, be amended to read as follows:

**18.120. - Competitive bids required.**

The purchasing agent, whenever it is practicable, and when it is in accordance with other provisions of this code, shall obtain competitive bids upon all purchases not advertised for in the official newspaper.

Section 5. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 18A to read as follows:

**CHAPTER 18A. TARGET MARKET PROGRAM**

**18A.10. Findings; Purpose.** This chapter is enacted as a race-neutral and gender-neutral program to increase competition and to stimulate the local economy by providing economic opportunities in city contracting for small businesses in the city's marketplace. The city council of the City of Minneapolis

finds that there is a need to encourage the expansion of small businesses in the city's marketplace to increase the tax base, to provide new employment opportunities, to alleviate or prevent economic blight and deterioration, to stimulate economic development, and to assist in the implementation of the comprehensive plan for the city. The city council further finds that the health, safety and general welfare and the preservation of the quality of life of the residents of the city and the city's marketplace are dependent on the preservation and expansion of small businesses in the city's marketplace. The city council is acting in all respects for the benefit of the citizens of the city and the city's marketplace to serve a public purpose in improving and otherwise promoting their health, welfare and prosperity.

**18A.20. Policy.** This program is intended to provide a race-neutral and gender-neutral tool to expand opportunities for, and develop the capacity of, small and local businesses so that all segments of the community may participate in city contracts. This program will allow small businesses to compete against other small businesses.

**18A.30. Definitions.** For the purposes of this chapter, the following words and phrases shall have the meanings set forth in this section, except where the context clearly indicates that a different meaning is intended.

*Approved small business enterprise* means a small business enterprise that is approved under this chapter.

*Chief financial officer* means the City's Finance Officer or his/her designee.

*Commercially useful function* means a function performed by a business that is responsible for the execution of a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing, and supervising the work involved. Acting as a conduit to transfer funds to another business does not constitute a commercially useful function unless it is done as a normal business practice of a particular industry.

*Contract* means an agreement entered into by the city or the park and recreation board: (1) for the purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property; or (2) for professional, technical or other personal services. Contract does not include agreements for private development or redevelopment of land or contracts making awards of grants or loans for development purposes.

*General industry category* means a class of contracts identified by the chief financial officer.

*Marketplace* means the geographical area of the Minnesota counties of Anoka, Benton, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Stearns, Washington, and Wright.

*Principal place of business* means the primary physical location at which or from which a business performs, is maintained, or operates.

*Small business enterprise* ("SBE") means a business that meets all of the following criteria:

(1) *Size standards.* Does not exceed the United States Small Business Administration ("SBA") size standards under the North American Industry Classification System ("NAICS") code provided in Title 13, Chapter I, Part 121 of the Code of Federal Regulations.

(2) *Principal place of business.* Has its principal place of business located within the marketplace at the time of the request for quotation or response.

(3) *Independently owned and controlled.* Is independently owned and controlled. Whether the business is independently owned and controlled is indicated by the absence of control or influence of a non-SBE. The business must be free of such items as shared personnel, facilities, equipment, financial, or other resources with a non-SBE. Processing multiple SBEs under one business name with shared management, personnel, facilities, equipment, financial, or other resources is prohibited.

(4) *For-profit.* Is a for-profit business.

(5) *Commercially useful function.* Performs a commercially useful function.

(6) *Average annual gross receipts.* Has had average annual gross receipts over the business's previous three fiscal years that does not exceed the amount specified in the general industry category chart, as required under section 18A.50(c), for the general industry category for which the business is providing a quotation or response. If the business has been in business for less than three years, the annual gross receipts will be averaged over the period of time that the business has been in business.

**18A.40. Target Market Program Contracting.**

(a) Contracts that are not anticipated to exceed one hundred thousand dollars (\$100,000) may be set aside for only approved small business enterprises.

(b) Nothing in this chapter shall limit the city's right to reject all quotations or responses in the sole discretion of the city, including but not limited to, in the event that all quotations or responses received exceed the city's projected costs for a particular contract, or if an emergency necessitates the immediate hiring of a person or a business that is not an approved small business enterprise.

**18A.50. Administration.**

(a) The chief financial officer shall administer the Target Market Program.

(b) The chief financial officer may:

(1) Create processes, procedures and forms to implement the provisions of this chapter.

(2) Recommend the unbundling of contracts.

(3) Provide informational and training resources to approved small business enterprises.

(c) The chief financial officer shall create a general industry category chart.

(1) The chart must include, at a minimum, the general industry categories identified by the chief financial officer and a maximum dollar amount for each general industry category.

(2) When identifying the general industry categories, the chief financial officer may consider factors such as the types of contracts awarded by the City or awarded by other governmental entities in the Marketplace or in areas near the Marketplace.

(3) On at least an annual basis, the chief financial officer must:

- a. Review the general industry category chart;
- b. Consider whether any revisions will be made to the general industry category chart;
- c. Publish, with the city council, a revised general industry category chart or a statement that no changes will be made to the general industry category chart.

(4) The general industry category chart must be effective on January 1st of each year and must be posted on the City's designated internet site(s) or portal(s) or be available to the public through other readily available means.

**18A.60. Procedures for maintenance of list of Small Business Enterprises.**

The chief financial officer must establish procedures for:

- (1) The approval of a business as an approved small business enterprise.
- (2) The establishment and maintenance of a list of approved small business enterprises.
- (3) The removal of a business from the list of approved small business enterprises.
- (4) The rights of businesses when approval is denied or the business is removed from the list of approved small business enterprises.

**18A.70. Administrative determinations; notice; effect on existing contracts.**

(a) *Administrative determination of denial or removal.* If there is reasonable cause to determine that: (1) a business has not complied with the procedures for small business enterprises; or (2) a business does not meet all of the criteria of a small business enterprise, the business may be denied small business enterprise approval or may be removed from the list of approved small business enterprises, whichever is applicable.

(b) *Notification of determination of denial or removal.* The business must be notified, in writing, of the determination of denial or removal, the basis for the determination, and the manner for requesting an administrative hearing review.

(c) *Effect of removal from list on existing contracts.* If a business is removed from the list of approved small business enterprises, removal from the list does not automatically discharge the business from its obligations under any existing contracts with the city.

**18A.80. Administrative Hearing Review.** A business that has been notified, in writing, that it has been denied small business enterprise approval, or has been removed from the list of approved small

business enterprises, may file, within 15 days of the date of the written notification of denial or removal, a request for an administrative hearing review.

Within twenty (20) days after the business has filed a request for an administrative hearing review, the chief financial officer must initiate an administrative hearing review by requesting an assignment of a hearing officer. Within twenty (20) days of receiving a report of the hearing officer, or at a later date if there is good cause for an extension of time, the chief financial officer must make a final determination on the denial or removal. The final determination must be in writing, must provide the reasons for the final determination, and must be promptly provided to the business.

**18A.90. Judicial review.** An aggrieved party may obtain judicial review of the final determination by petitioning the Minnesota Court of Appeals for a writ of certiorari pursuant to Minnesota Statutes, Section 606.01.

**18A.100. Complaints.** The chief financial officer may create a complaint process to allow protests of a business's status as an SBE.

**18A.110. City departments.** All departments of the city and the park and recreation board shall share in the responsibility for accomplishing the goals and objectives of this chapter. Each city department and the park and recreation board shall designate one (1) employee of the respective department or board to act as a liaison to assist in carrying out the provisions of this chapter.

**18A.120. Reporting.** The chief financial officer shall report annually to the city council regarding the implementation of this chapter.

**18A.130. Severability.** If any provision of this chapter is held invalid by any court, the invalidity of such provision shall not affect any of the remaining provisions of this chapter.

**18A.140. Effective date and expiration of chapter 18A.**

This chapter of the Minneapolis Code of Ordinances, Chapter 18A, shall be effective January 1, 2017. Absent other action by the city council based on an analysis of its continuing need, this chapter shall cease to be effective on January 1, 2023.

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)

Absent: (0)

The ordinance was adopted.

On behalf of the Committee of the Whole, Glidden offered Ordinance 2016-063 amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to Civil Rights: In General, amending provisions relating to the Target Market Program.

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

September 23, 2016

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**ORDINANCE 2016-063**  
**By Glidden, Quincy, and Warsame**  
**Intro & 1st Reading: 9/23/2016**  
**2nd Reading: 9/23/2016**

**Amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to Civil Rights: In General.**

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

Section 1. That Section 139.50 of the above-entitled ordinance be amended to read as follows:

**139.50. - Provisions required in contracts with city.**

(a) *Required contract clauses.* Unless exempted by the director, all City of Minneapolis contracts shall include the following provisions, specifically or by reference:

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, age (forty (40) to seventy (70)), marital status, or status with regard to public assistance. The contractor will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include but are not limited to the following: Hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Minneapolis Department of Civil Rights ("MDCR") setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that it is an equal opportunity or affirmative action employer.

(3) The contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the MDCR, advising the labor union or workers' representative of the contractor's commitments under section 139.50 of the Minneapolis Code of Ordinances, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Title 7 of the Minneapolis Code of Ordinances, and with all rules and regulations issued by the director of the MDCR ("director") or the Minneapolis Commission on Civil Rights.

(5) The contractor will furnish and cause each of its subcontractors to furnish all information and reports by section 139.50 of the Minneapolis Code of Ordinances, and by the rules and regulations of the director or of the commission, and will permit access to its books, records and accounts by the director, the director's agent, or the commission, for purposes of investigation to ascertain compliance with the rules, regulations and provisions of Title 7.

(6) The contractor shall take action to afford Minority-Owned Business Enterprises and Women-Owned Business Enterprises, as defined in chapter 423, full and fair opportunities to compete on this contract and resulting subcontracts. This provision is not intended to limit in any manner the right of a contractor to enter into a contract with a subcontractor whose status as a Minority-Owned Business Enterprise or Women-Owned Business Enterprise has not been determined by the MDCR. Any non-compliance of the provisions of chapter 423, or of any rules or regulations promulgated by the MDCR pursuant to chapter 423, may result in the penalties outlined in chapter 423.

(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations or provisions of Title 7, this contract may be canceled, terminated or suspended, in whole or in part, and the contractor may be declared ineligible by the Minneapolis City Council for further city contracts in addition to other remedies as provided in Title 7. In addition, the contractor shall be liable for any costs or expenses incurred by the City of Minneapolis in obtaining from other sources the work and services to be rendered or performed or the goods or properties to be furnished or delivered to the city under this contract and for administrative costs incurred in seeking compliance. The city shall have the right to specific performance of this contract. Further, in the event there is probable cause to believe the contractor is in noncompliance with the nondiscrimination clauses of this contract or with any applicable rules or regulations, the city shall withhold up to fifteen (15) percent of said contract amount until such time as the contractor is found to be in compliance or in the event that withholding a portion of the contract amount is not a feasible alternative, then liquidated damages of five hundred dollars (\$500.00) per day for each day that the director shall determine that there is probable cause to believe that the contractor is in noncompliance with this section shall be imposed, or is otherwise adjudicated to be in compliance.

(b) *Noncompliance.* When the director or the director's designee shall have probable cause to believe that the contractor is not in compliance with any provision of subsection (a) paragraphs (1) through (7) or with the implementing rules, regulations, provisions or plans thereto, the director or the director's designee shall notify the city department administering said contract and shall engage the contractor and the administering department in conciliation and persuasion to try to eliminate the acts or practices giving rise to such belief.

Should conciliation and persuasion fail to eliminate the noncompliant acts or practices, the director or the director's designee shall either request a hearing before the city council on the subject matter of the noncompliance or file a director's charge and refer said charge to the commission demanding that a hearing panel of the commission be convened to hear the charge.

(1) *Hearing before city council.*

a. The president may refer the matter in conformance with council procedures to the appropriate standing committee, no later than its second next regular meeting, for public hearing on the alleged noncompliance and the committee shall report its findings to the council. The council may take final action including final imposition of sanctions under subsection (a)(7), direction to the director to obtain compliance or any other action it deems just and proper.

b. Should the director or the director's designee have probable cause to believe that the contractor remains in noncompliance, the director shall file a director's charge and refer said charge to the commission demanding that a hearing panel of the commission be convened to hear the complaint. The hearing panel shall be convened as set forth in 139.50(b)(2).

(2) *Hearing before a panel of the commission.*

a. The hearing on the director's charge shall be held within thirty (30) days of notification of the matter for hearing. The city attorney shall represent the director before the commission.

b. The chairperson of the commission on civil rights shall appoint a three-person panel, one (1) of whom shall be an attorney, who shall also be chairperson of the panel.

The panel shall hold a public hearing on the director's charge and shall receive evidence pursuant to the provisions of Minnesota Statutes Section 14.60. The hearing panel shall make findings with respect to the contract, ordinance provisions, affirmative action plan or women and minority business enterprise plan. The hearing panel shall order final action including final imposition of sanctions under subsection (a)(7) of this section.

c. Whenever, in the director's judgment a public hearing pursuant to subsection (b)(2) will take longer than two (2) full days to complete, the director shall certify such fact to the commission and the chairpersons of the commission shall appoint a person who is a lawyer and who may or may not be a member of the commission to conduct the public hearing. In such cases, the hearing examiner shall have the same duties, obligations and powers as a hearing panel.

(c) *Subcontracts.* The contractor will include the provisions of subsection (a) paragraphs (1) through (7) in every subcontract or purchase order, specifically or by reference, unless exempted by rules, regulations or orders of the director or the commission, issued pursuant to chapter 141 of this title, so that such provisions will be binding upon each subcontractor or vendor.

(d) *Written affirmative action plan.* Neither the City of Minneapolis nor the Minneapolis Community Development Agency shall enter into contracts or amend any contract resulting in a cumulative contract award in excess of ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00) with any bidder or prospective contractor until a written affirmative action plan has been approved by the director or the director's designee and until the department has conducted a pre-award compliance review.

Neither the City of Minneapolis nor the Minneapolis Community Development Agency shall ~~not~~ close on any development contract until a written affirmative action plan from the recipient of assistance and any prospective contractor with a contract in excess of ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00) has been approved by the director or the director's designee and until the department has conducted a pre-award compliance review.

The director or director's designated city staff shall, in a pre-award compliance review, examine evidence of the past performance of the entity under review regarding compliance with the provisions of subsection (a) of this section which should include, but not be limited to the following factors: The record of the entity under review regarding observance of the City of Minneapolis contract compliance rules and regulations, the books, records, payrolls and other relevant documents including a list, separated by construction project or work site of all protected-class employees who worked for the entity under review during the period to be reviewed; documentary evidence of the implementation of each of the affirmative action standards set forth in the specifications and evidence demonstrating whether or not the entity under review has complied with subsection (a)(1) of this section or similar equal employment opportunity clause in contracts with any other governmental body or any other

entity. The director or director's designated city staff shall have thirty (30) days after receiving notice of the proposed contract to complete the pre-award compliance review and approve or disapprove the affirmative action plan.

(e) *Jurisdiction.* With regard to development contracts the jurisdiction of the city under this section shall extend for a period of three (3) years from the date of the development contract or until such longer period as may be stated in the development contract and shall include jurisdiction over owner-occupants of any project financed pursuant thereto.

Section 2. That Section 139.80 of the above-entitled ordinance be and is hereby repealed:

~~**139.80. — Affirmative action requirements in regard to professional or technical services.**~~

~~Prior to its solicitation of requests for proposals for professional or technical services, and where requests for proposals have not been solicited, prior to entering into any contract or agreement to provide professional or technical services, the person authorized to request such professional or technical services shall meet with the women and minority business enterprise liaison officer and confer as to whether reasonable opportunities exist for businesses owned and controlled by women or minorities to participate in the performance of such contracts or agreements. No contract or agreement to provide such professional or technical services shall be approved until the person authorized to request such professional or technical service and the women and minority business enterprise liaison officer shall certify that a meeting was held pursuant to this section.~~

~~All bid notices, documents and specifications used for solicitation of requests for proposals for professional or technical services shall include the following language: The City of Minneapolis hereby notifies all bidders that businesses owned and controlled by women or minorities shall be afforded the maximum feasible opportunity to submit bids and/or proposals and that all bidders shall comply with the City of Minneapolis women and minority business enterprise affirmative action plan. Failure to do so shall render a bid or proposal nonresponsive.~~

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)

Absent: (0)

The ordinance was adopted.

On behalf of the Committee of the Whole, Glidden offered Ordinance 2016-064 amending Title 16, Chapter 423 of the Minneapolis Code of Ordinances relating to Planning and Development: Small and Underutilized Business Enterprise Program, amending provisions relating to the Target Market Program.

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

September 23, 2016

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**ORDINANCE 2016-064**  
**By Glidden, Quincy, and Warsame**  
**Intro & 1st Reading: 9/23/2016**  
**2nd Reading: 9/23/2016**

**Amending Title 16, Chapter 423 of the Minneapolis Code of Ordinances relating to Planning and Development: Small and Underutilized Business Enterprise Program.**

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

Section 1. That Section 423.60 of the above-entitled ordinance be amended to read as follows:

**423.60. - Applicability and enforcement, commodities and supplies.**

This section applies to any contract for non-construction-related equipment, food, material or any part or combination thereof, in excess of ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000). The department will set an overall, annual goal for MBE/WBE participation for all anticipated commodity and supply contracts based on the overall availability of minority-owned and women-owned equipment, material and supplies vendors in the city's marketplace. The department may review each contract or agreement to determine if specific goals will be placed based on the scopes of work of the contract; the availability of qualified, ready, willing and able MBEs/WBEs to perform those scopes; the city's progress towards meeting its annual goal; the location of the contract's performance; and any other relevant factors.

If the department places no specific goals on MBEs/WBEs that may have the capability to offer a bid or a proposal, the department may submit a list of MBEs/WBEs, which may have the capability to offer a bid or proposal, to the soliciting department or the park and recreation board. If the city seeks bidders or proposers on a master contract, the department will offer any and all available MBEs/WBEs to the soliciting department or the park and recreation board seeking a master contract so that the soliciting department or the park and recreation board may directly solicit the businesses for inclusion on the master agreement.

The department will monitor participation on projects to ensure MBEs and WBEs are utilized on the bids or proposals as submitted by the bidder or proposer. Any bid or proposal, where there is or has been a material lack of compliance with the requirements of this chapter, shall be deemed to be an unresponsive bid or proposal by the department and such lack of compliance shall be a sufficient basis for the rejection of that bid or proposal by the city.

Every contract covered by this chapter shall be drafted in such a way as to comply with the terms of section 139.50 of the Minneapolis Code of Ordinances, except to the extent that the terms of section 139.50 conflict with the terms of this chapter.

The department shall promulgate such rules, regulations and forms as may be needed to carry out the duties and responsibilities set forth herein. The department shall establish and make readily available to all potential proposers, bidders, contractors and suppliers the rules of compliance with this chapter. Such rules shall set forth program methods for establishing participation goals, all outreach requirements for prime contractors and developers to eligible WBEs and MBEs, and all other

requirements for demonstrating good faith efforts at compliance with the requirements of this chapter and the rules set forth by the 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)

Absent: (0)

The ordinance was adopted.

On behalf of the Committee of the Whole, Glidden offered Ordinance 2016-065 amending Title 2, Chapter 40 of the Minneapolis Code of Ordinances relating to Administration: Workplace Regulations, amending provisions contained in the Workplace Regulations ordinance.

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

**ORDINANCE 2016-065**  
**By Frey**  
**Intro & 1st Reading: 9/2/2016**  
**Ref to: COW**  
**2nd Reading: 9/23/2016**

**Amending Title 2, Chapter 40 of the Minneapolis Code of Ordinances relating to Administration:  
Workplace Regulations.**

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

Section 1. That Section 40.40 of the above-entitled ordinance be amended by correcting the definition of "Employer", and adding in alphabetical order the definition of "Regular rate of pay" to read as follows:

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

*"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)~~ (1) The United States government.

~~(b)~~ (2) 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)~~ (3) Any county or local government, except the city.

"Regular rate of pay" means the employee's hourly rate, including payments for shift differentials, for an hourly employee or an equivalent rate for an exempt employee. Regular rate of pay does not include:

(1) Tips.

(2) Commissions.

(3) Reimbursement for expenses incurred on the employer's behalf.

(4) Premium payments for overtime work or work on Saturdays, Sundays, holidays, or scheduled days off, if the premium rate is at least one and one-half (1-1/2) times the normal rate.

(5) Bonuses.

(6) Cash or other valuables in the nature of gifts on special occasions.

(7) Payments made pursuant to a bona fide profit-sharing plan or trust or bona fide thrift or savings plan.

(8) Contributions irrevocably made by an employer to a trustee or third person pursuant to a bona fide plan for providing old-age, retirement, life, accident, or health insurance or similar benefits for employees.

Section 2. That Section 40.210 of the above-entitled ordinance be amended to read as follows:

**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~~ Sick and safe time shall accrue only in hour-unit increments; there shall be no accrual of a fraction of an hour of sick and safe time.

(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) Employers shall permit an employee to carry over accrued but unused sick and safe time into the following year. 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.

(e) An employer may satisfy this section by providing at least forty-eight (48) hours of sick and safe time following the initial ninety (90) days of employment for use by the employee during the first calendar year, and providing at least eighty (80) hours of sick and safe time beginning each subsequent calendar year.

(f) The frequency with which an employer records sick and safe time accrual may be in a manner consistent with current payroll practices as defined by industry standards or existing employer policies, provided such practice or policy is no less frequent than a monthly basis.

Section 3. That Section 40.220 of the above-entitled ordinance be amended to read as follows:

**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 employee's regular rate of pay for the hours the employee was scheduled to ~~earn~~ work 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~~ 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 employee 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.

Section 4. That Section 40.270 of the above-entitled ordinance be amended to read as follows:

**40.270. - Employer records.**

~~(a) In addition to the employment and payroll records required by Minnesota Rules, Chapter 3315, an~~  
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.

(1) For non-exempt employees, hours worked.

(2) Hours of leave available for sick and safe time purposes.

(3) Hours of leave used for sick and safe time purposes.

(b) The records required by this section must be retained for a period of not less than three (3) 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)~~ (d) The department shall have access to the records required by both this section and Minnesota Statutes, Chapter 181, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of this chapter, including, but not limited to, inspection and copying of books and records, interviewing employees and former employees, and investigating alleged violations of this chapter. Social Security numbers and employees' personal addresses shall not be a matter of public record.

~~(f)~~ (e) 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.

Section 5. That Section 40.310 of the above-entitled ordinance be amended to read as follows:

**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~~ provide for greater accrual or use by employees of sick and safe time or that extends other protections to employees.

(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~~ is sufficient to meet the accrual requirements for sick and safe time under section 40.210 and may be used by the employee for the same purposes and under the same conditions as sick and safe time under section 40.220, 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)

Absent: (0)

The ordinance was adopted.

The Minneapolis City Council hereby directs the City Coordinator's Office to convene a workgroup to examine the home-sharing industry, including a review of the marketplace served by businesses such as Airbnb, Couchsurfing, HomeAway and others.

The workgroup shall include representatives from the City Coordinator's Office, Community Planning & Economic Development, Finance and Property Services, Intergovernmental Relations, Regulatory Services, City Attorney's Office and Meet Minneapolis along with representatives from existing home-sharing businesses and key stakeholders in the marketplace.

The workgroup should examine partnership opportunities, tax implications and other regulatory strategies, and report back to the City Council by the end of first quarter 2017.

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)

Absent: (0)

The report was adopted.

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

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. 16-01212, 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)

Absent: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Penny's Coffee, allowing the licensee to retain the Restaurant License for Penny's Coffee, 100 University Ave SE, subject to adherence with the conditions contained therein, as set forth in File No. 16-01213, 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes the reinstatement of the Rental Dwelling License for the property at 3113 Central Ave NE, held by owner Dominic Scheck, having received an acceptable management plan and verification that said property is now in compliance with rental licensing standards, as set forth in File No. 16-01214, and made of 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)

Absent: (0)

The report was adopted.

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

The Minneapolis City Council hereby authorizes the waiver of parking meter hooding fees for the first year of street cafes that start in the 2017 and 2018 Street Cafe Pilot Program, as set forth in File No. 16-01216.

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)

Absent: (0)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES, TRANSPORTATION & PUBLIC WORKS, and ZONING & PLANNING Committees submitted the following report:**

The Minneapolis City Council hereby adopts the Downtown Public Realm Framework Plan as an articulation of and amendment to the Comprehensive Plan, as set forth in File No. 16-01169.

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)

Absent: (0)

The report was adopted.

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

On behalf of the Community Development & Regulatory Services and Ways & Means Committees, Goodman offered Resolution 2016R-373, approving Modification No. 126 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan, and Modification No. 1 to the Ninth St and Hennepin Ave Redevelopment Plan, which incorporate the Ninth St and Hennepin Ave Redevelopment Project into the Common Development and Redevelopment Project and allow the use of Common Project tax increment revenue for costs associated with the acquisition and renovation of 900 and 906 Hennepin Ave (the Solera Building).

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

**RESOLUTION 2016R-373  
By Goodman and Quincy**

**Approving Modification No. 126 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan and Modification No. 1 to the Ninth Street and Hennepin 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 ("TIF") 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 No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City approved the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the "Common Plans") and established the Common Development and Redevelopment Project (the "Common Project"). Subsequent modifications to the Common Plans have described more precisely the Common Project, the activities to be undertaken and the property that may be acquired, all pursuant to the Project Laws.

1.3. By Resolution 95R-113 duly adopted April 14, 1995 and approved April 18, 1995, the City approved the Ninth Street and Hennepin Avenue Redevelopment Plan and thereby established the Ninth Street and Hennepin Avenue Redevelopment Project (the "Redevelopment Project").

1.4. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, Modification No. 126 to the Common Plans ("Modification No. 126"), and Modification No. 1 to the Ninth Street and Hennepin Avenue Redevelopment Plan ("Modification No. 1") (collectively, the "Modifications"). Modification No. 126 incorporates the Redevelopment Project into the Common Project and allows the use of Common Project tax increment revenues for a loan to Hennepin Theatre Trust for acquisition and renovation of 900 and 906 Hennepin Avenue. Modification No. 1 incorporates the Redevelopment Project into the Common Project. The physical boundary of the Redevelopment Project is not changed by Modification No. 1. These actions are all pursuant to and in accordance with the Project Laws.

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

## Section 2. Findings and Election

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

2.2. The Council further finds, determines and declares that the land in the Redevelopment Project 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 the Modifications will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the project area by private enterprise.

2.4. The Council further finds, determines and declares that the Modifications conform to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Modifications were issued on September 19, 2016, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.5. The Council further finds, determines and declares that the proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.

2.6. The Council further finds, determines and declares that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district.

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

### Section 3. Approval of the Modifications

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

### Section 4. Implementation of the Modifications

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

On roll call, the result was:

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

Noes: (0)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby approves an increase in the costs of loan administration from \$1,000 per loan to \$1,200 per loan in the contracts with Greater Metropolitan Housing Corporation and BuildWealth Minnesota to administer the Homeownership Opportunity Minneapolis (HOM) Down Payment and Closing Cost Assistance Program, with the cumulative cost of administering the loans continuing to be capped at a combined total of \$75,000.

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)

Absent: (0)

The report was adopted.

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

The Minneapolis City Council hereby authorizes:

1. Acceptance of additional grant funding from the Minnesota Department of Health in the amount of \$3,000 to provide expanded lead reduction services through Sept. 2016.
2. Amendment No. 1 to Agreement No. 38795-11 with the Minnesota Department of Health for the additional grant funding.
3. Passage of Resolution 2016R-374 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)

Absent: (0)

The report was adopted.

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

**RESOLUTION 2016R-374  
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 in the Grants-Federal Fund (01300-8600122) by \$3,000 and increasing the revenue estimate (01300-8600122-321007) by \$3,000.

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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes:

1. Acceptance of a grant from the Minnesota Department of Health in the amount of \$15,000 to provide a lead paint awareness campaign and healthy homes in-home education events with a focus on lead-based paint hazards for the grant year starting Oct. 1, 2016.
2. An agreement with the Minnesota Department of Health for the grant.
3. Passage of Resolution 2016R-375 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)

Absent: (0)

The report was adopted.

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

**RESOLUTION 2016R-375**

**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 in the Grants-Federal Fund (01300-8600122) by \$15,000 and increasing the revenue estimate (01300-8600122-321007) by \$15,000.

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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes:

1. Acceptance of a grant from the Minnesota Department of Transportation (MnDOT) in an amount not to exceed \$5,000 for tree planting on MnDOT property in Triangle Park.
2. Passage of Resolution 2016R-376 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)

Absent: (0)

The report was adopted.

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

**RESOLUTION 2016R-376**

**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 in the Grants-Other Fund (01600-8600155) by \$5,000 and increasing the revenue estimate (01600-8600155-321510) by \$5,000.

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)

Absent: (0)

The resolution was adopted.

On behalf of the Public Safety, Civil Rights & Emergency Management Committee, Yang offered Resolution 2016R-377 approving a State of Minnesota Joint Powers Agreement with the City of Minneapolis acting through the Minneapolis Emergency Communications Center to use systems and tools available over the State's Criminal Justice Data Communications Network for which the City is eligible.

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

**RESOLUTION 2016R-377**

**By Yang**

**Approving a State of Minnesota Joint Powers Agreement with the City of Minneapolis acting through the Minneapolis Emergency Communications Center.**

Whereas, the City of Minneapolis, acting through the Minneapolis Emergency Communications Center ("City"), desires to enter into a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension ("BCA") to use systems and tools available over the State's Criminal Justice Data Communications Network for which the City is eligible. The Joint Powers Agreement further provides the City with the ability to add, modify, and delete connectivity, systems, and tools over the five-year life of the agreement and obligates the City to pay the costs for the network connection;

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

That the State of Minnesota Joint Powers Agreement by and between the BCA and the City is hereby approved.

Be It Further Resolved that Heather Hunt, Director, Emergency Communications, 350 S 5th St, Room B911, Minneapolis, MN 55415, (612) 673-5921, or her successor, is designated the Authorized Representative for the City of Minneapolis. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the BCA to maintain the City's connection to the systems and tools offered by the State.

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)

Absent: (0)

The resolution was adopted.

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

On behalf of the Public Safety, Civil Rights & Emergency Management and Ways & Means Committees, Yang offered Resolution 2016R-378 accepting donations for travel-related expenses for the Minneapolis Police Department.

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

**RESOLUTION 2016R-378  
By Yang and Quincy**

**Accepting donations for travel-related expenses for the Minneapolis Police 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 - Major Cities Chiefs Association;

Gift - Travel expenses in the estimated amount of \$700 to include travel and lodging expenses for Police Chief Janee Harteau to present at the Executive Leadership Institute in Charlotte, North Carolina, from Sept. 22-23, 2016; 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 participating in an out-of-town summit to learn and share how to respond to broadening responsibilities more effectively; and

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 efficient and effective leadership and management of the City's 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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes an extension of Contract No. C-40709 between the Minneapolis Public Housing Authority and the Minneapolis Police Department through Sept. 1, 2016, for security services at 1707 3rd 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-38858 with Hennepin County Human Services and Public Health in the amount of \$237,200, for a not-to-exceed total of \$711,600, and an extension of the contract through Dec. 31, 2017, using the Hennepin County Human Services and Public Health contract form for the purpose of operating the Detox Van.

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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-40287 with Stillwater Emergency Management in the amount of \$25,000, for a not-to-exceed total of \$75,000, for a contract duration not to extend past Dec. 31, 2016, using the Stillwater Emergency Management contract form for Grant Management 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)

Absent: (0)

The report was adopted.

On behalf of the Public Safety, Civil Rights & Emergency Management and Ways & Means Committees, Yang offered Resolution 2016R-379 accepting donations for travel-related expenses for the Minneapolis Department of Civil Rights.

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

**RESOLUTION 2016R-379**  
**By Yang and Quincy**

**Accepting donations for travel-related expenses for the Minneapolis Department of Civil Rights.**

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

## September 23, 2016

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

Name of Donor - Center for Law and Social Policy;

Gift - Scholarship in the amount of \$1,200 for travel and lodging-related expenses for Brian Walsh to partake in the Making Paid Sick Days Work: Sharing Strategies 2016 Conference in San Francisco, California, from Sept. 28 to Oct. 2; 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 an effort to learn best practices and to improve implementation and enforcement of paid sick days laws as allowed by law; and

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 hereby accepted and shall be used for best practices and improved implementation and enforcement of paid sick days laws within the Department of Civil Rights – Labor Standards Enforcement Division.

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)

Absent: (0)

The resolution was adopted.

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

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-380 approving special services, cost estimates, service charges, and the lists of service charges for 2017 in the Chicago-Lake, Bloomington-Lake, East Lake, Lyndale-Lake, 50th and France, and 54th & Lyndale Special Service Districts and directing the City Engineer to proceed with the work.

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

**RESOLUTION 2016R-380**

**By Reich**

**Approving special services, cost estimates, service charges, and the lists of service charges for 2017 in the Chicago-Lake, Bloomington-Lake, East Lake, Lyndale-Lake, 50th and France, and 54th & Lyndale Special Service Districts and directing the City Engineer to proceed with the work.**

Whereas, public hearings were held on Sept. 13, 2016, in accordance with Laws of Minnesota, Chapter 428A, Sections 428A.01 through 428A.10, and Minneapolis Code of Ordinances, Chapters 460, 461, 462, 463, 428, and 432, to consider the proposed special services, the proposed service charges, and the

proposed lists of service charges as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special services, the proposed cost estimate in the total amount of \$52,000 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$42,000 (amount remaining after adjusting the cost estimate of \$52,000 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 461.70) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the Chicago-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$81,500 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$81,500 (amount remaining after adjusting the cost estimate of \$81,500 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 460.70) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the Bloomington-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$57,500 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$57,500 (amount remaining after adjusting the cost estimate of \$57,500 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 462.70) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the East Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$141,000 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$141,000 (amount remaining after adjusting the cost estimate of \$141,000 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 463.70) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the Lyndale-Lake Special Service District.

Be It Further Resolved that the proposed special services and the proposed cost estimate in the total amount of \$136,000 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$132,400 (amount remaining after adjusting the cost estimate of \$136,000 for anticipated Ewing parking lot permit fee income as provided for in Minneapolis Code of Ordinances, Section 428.70) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the 50th and France Special Service District.

Be It Further Resolved that the proposed special services and the proposed cost estimate in the total amount of \$23,800 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$23,800 (amount remaining after adjusting the cost estimate of \$23,800 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 432.70) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the 54th & Lyndale Special Service District.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2016 real estate tax statements in the same manner as special assessments without interest charges and that certified copies of said lists of service charges be transmitted to the Hennepin County Auditor.

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)

Absent: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-381 approving the operating plan, special services, cost estimates, service charges, and the list of service charges for 2017 in the West Broadway Improvement Special Service District and directing the City Engineer to proceed with the work.

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

**RESOLUTION 2016R-381**

**By Reich**

**Approving the operating plan, special services, cost estimates, service charges, and the list of service charges for 2017 in the West Broadway Improvement Special Service District and directing the City Engineer to proceed with the work.**

Whereas, a public hearing was held on Sept. 13, 2016, in accordance with Laws of Minnesota, Chapter 428A, Sections 428A.01 through 428A.10, and Minneapolis Code of Ordinances, Chapter 434, to consider the proposed special services, the proposed service charges, and the proposed list of service charges, as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the 2017 Operating Plan and Budget for the West Broadway Improvement Special Service District be and hereby is approved.

Be It Further Resolved that the proposed special services and the proposed cost estimate in the total amount of \$110,000 for 2017, and that the proposed service charges, and the proposed list of service charges for 2017 in the total amount of \$105,000 (amount remaining after adjusting the cost estimate of \$110,000 for \$5,000 in-kind management resources from the West Broadway Business and Area Coalition (WBC) as provided for in Minneapolis Code of Ordinances, Section 434.60) as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the West Broadway Improvement Special Service District (WBID).

Be It Further Resolved that the City Engineer (with the WBC for the WBID) is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2017 real estate tax statements in the same manner as special assessments without interest charges and that certified copies of said lists of service charges be transmitted to the Hennepin County Auditor.

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)

Absent: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-382 approving the operating plan, special services, cost estimates, service charges, and the list of service charges for 2017 in the Downtown Business Improvement Special Service District (DID) and directing the City Engineer to proceed with the work.

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

**RESOLUTION 2016R-382**

**By Reich**

**Approving the operating plan, special services, cost estimates, service charges, and the list of service charges for 2017 in the Downtown Business Improvement Special Service District and directing the City Engineer to proceed with the work.**

Whereas, a public hearing was held on Sept. 13, 2016, in accordance with Minnesota Statutes, Chapter 428A, Sections 428A.01 through 428A.10, and Minneapolis Code of Ordinances, Chapter 465, to consider the proposed special services, the proposed service charges, and the proposed list of service charges, as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the 2017 Operating Plan and Budget for the Downtown Business Improvement Special Service District be and hereby is approved.

That the proposed services, service charges, and the proposed list of service charges (special assessments) for 2017 in the total amount of \$6,570,735.88, as provided for in Minneapolis Code of Ordinances, Section 465.80, as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office be and hereby are approved for the Downtown Business Improvement Special Service District.

Be It Further Resolved that the City Engineer (with the Minneapolis Downtown Improvement District) is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2017 real estate tax statements in the same manner as special assessments without interest charges and that certified copies of said lists of service charges be transmitted to the Hennepin County Auditor.

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)

Absent: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

The Minneapolis City Council hereby authorizes an amendment to the 2016 Operating Plan and Budget for the 54th & Lyndale Special Service District as set forth in File No. 16-01227 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby approves establishing impact fees for the LynLake Municipal Parking Lots for the period Sept. 1, 2016, through Aug. 31, 2017, at \$940 per stall for businesses that had licenses, permits to expand their business, or City-approved plans to expand their businesses prior to Sept. 1, 1998, and \$1,885 per stall for new businesses.

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)

Absent: (0)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-383 authorizing an amendment to the contract with the Minnesota Department of Transportation (MnDOT) for architectural history review of the Downtown Pedestrian Improvement Project.

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

**RESOLUTION 2016R-383**

**By Reich**

**Authorizing an amendment to the contract with the Minnesota Department of Transportation (MnDOT) for architectural history review of the Downtown Pedestrian Improvement Project.**

Whereas, the City received \$875,000 in federal matching funds for the Downtown Pedestrian Improvement Project, and a Project Memorandum includes a historical review of the properties in the project area; and

Whereas, MnDOT offered to coordinate this work with their own Cultural Resources Unit and will pay for 80% of the work; and

Whereas, MnDOT has requested additional time for the historical review;

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

That the proper City officers be authorized to execute Amendment No. 1 to Contract No. 1001508 with the State of Minnesota Department of Transportation for the architectural historical review for the Downtown Pedestrian Improvement Project, extending the expiration date by 12 months and the project schedule by 18 months.

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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes execution of replacement quit claim deeds for the properties located at 2716 44th St and 2630 44th St W to the current fee title property owners.

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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby adopts the updated 2016 Urban Forestry Policy as set forth in File No. 16-01239 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)

Absent: (0)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-384 declaring Sept. 22, 2016, as World Car-Free Day in the City of Minneapolis.

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

September 23, 2016

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**RESOLUTION 2016R-384**  
**By Reich, Palmisano, Gordon, Yang, Glidden, and Bender**

**Declaring Sept. 22, 2016, as World Car-Free Day in the City of Minneapolis.**

Whereas, the world has been celebrating “World Car-Free Day” since 2000 as a means for the education about and promotion of alternative forms of transportation; and

Whereas, clean air is a universal necessity and every effort should be made to improve and preserve air quality; and

Whereas, the Downtown Transportation Management Organization (TMO), Move Minneapolis, has been and will continue to be instrumental in reducing carbon dioxide (CO<sub>2</sub>) in our atmosphere by promoting sustainable transportation alternatives; and

Whereas, bike sharing and bike commuting have contributed to reducing the number of drive-alone trips in Minneapolis; and

Whereas, carpooling, car sharing, bike sharing, bike commuting, and public transit have contributed to reducing the number of drive-alone trips in the city and are instrumental in reducing traffic congestion and the number of vehicles on our roadways and consequently the cost of maintenance and repair to those roadways; and

Whereas, reducing carbon emissions and traffic in the City of Minneapolis for one day will offer health benefits to all and will demonstrate global solidarity;

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

That the Mayor and the City Council, on behalf of the people of Minneapolis, hereby declare Sept. 22, 2016, as World Car-Free Day in 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)

Absent: (0)

The resolution was adopted.

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

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-385 ordering the work to proceed and adopting the special assessments for the W 29th St (Bryant Ave S to Lyndale Ave S) Street Lighting Project No. 9945L.

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

September 23, 2016

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**RESOLUTION 2016R-385  
By Reich and Quincy**

**W 29TH ST STREET LIGHTING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 9945L**

**Ordering the work to proceed and adopting the special assessments for the W 29th St (Bryant Ave S to Lyndale Ave S) Street Lighting Project.**

Whereas, a public hearing was held on Sept. 13, 2016, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2016R-297, passed July 22, 2016, to consider the proposed special assessments as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2016R-297 passed July 22, 2016.

Be It Further Resolved that the proposed special assessments in the total amount of \$68,000 for the W 29th St Street Lighting Project (Levy No. 01026, Project No. 9945L) as on file in the City Engineer's Special Assessment Office, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) with the interest charged at 4.6%, with collection of the special assessments to begin on the 2017 real estate tax statements.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) with interest charged at 2.5%, with collection of the special assessments to be on the 2017 real estate tax statements.

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)

Absent: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-386 requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$68,000 for the purpose of paying the assessed cost of street lighting improvements in the W 29th St Street Reconstruction Project, Special Improvement of Existing Street No. 9945L.

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

September 23, 2016

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**RESOLUTION 2016R-386**  
**By Reich and Quincy**

**Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$68,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street lighting improvements in the W 29th St Street Reconstruction Project, Special Improvement of Existing Street No. 9945L, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

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

Noes: (0)

Absent: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-387 adopting the special assessments, levying the special assessments, and adopting the assessment roll for the 2015 operation and maintenance of the 50th St W and France Ave S Parking Facility.

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

**RESOLUTION 2016R-387**  
**By Reich and Quincy**

**Adopting the special assessments, levying the special assessments, and adopting the assessment roll for the 2015 operation and maintenance of the 50th St W and France Ave S Parking Facility.**

Whereas, the total amount of the proposed special assessments is \$19,238.84 and consists of 2015 operation and maintenance costs through Dec. 31, 2015; and

Whereas, a public hearing was held on Sept. 13, 2016, in accordance with Minnesota Statutes, Section 459.14, and Minnesota Statutes, Chapter 429, to consider the operation and maintenance proposed special assessments, as shown on the proposed assessment roll on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special assessments in the total amount of \$19,238.84, as on file in the City Engineer's Special Assessment Office, be and hereby are adopted and levied upon the benefited properties.

Be It Further Resolved that the special assessments be collected in two (2) annual principal installments beginning on the 2019 real estate tax statements with simple interest charges of 3.6% applied to 2019 and 2020 principal installments in accordance with the Public Improvement Special Assessment Interest Rate Policy adopted by the City Council on June 19, 2015, and to be assessed as follows:

2019: \$11,004.62.

2020: \$9,965.72.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that a certified copy of said assessment roll be transmitted to the Hennepin County Auditor.

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)

Absent: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

The Minneapolis City Council hereby authorizes an agreement with the University of Minnesota pertaining to the installation, operation, and maintenance of traffic cameras and variable message signs at signalized intersections and in the public right-of-way on or adjacent to the University of Minnesota campus as set forth in File No. 16-01229 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-38648 with James Corner Field Operations (JCFO), extending the contract to Dec. 2018 and increasing the contract by \$300,000 for continued landscape and urban design services related to the Nicollet Mall Reconstruction 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes Amendment No. 1 to Contract No. C-38760 (OP No. 7983) with PCiRoads, LLC for Construction Change Orders Nos. 1-3, increasing the contract by

\$224,620.26, for a revised contract total of \$2,704,162.26, due to changed site conditions prior to the start of the original contracted work associated with the 10th Ave Storm Tunnel Phase 3 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)

Absent: (0)

The report was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-388 amending Resolution 2016R-045 entitled "54th St W Street Reconstruction Project, Special Improvement of Existing Street No. 6735, Ordering the work to proceed and adopting the special assessments for the 54th St W Street Reconstruction Project", passed Feb. 12, 2016, and further amended by Resolution 2016R-116 passed April 1, 2016, due to a further reduction of the assessment for the property located at 1501 54th St W.

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

**RESOLUTION 2016R-388**

**By Reich and Quincy**

**54TH ST W STREET RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 6735**

**Amending Resolution 2016R-045 entitled "54th St W Street Reconstruction Project, Special Improvement of Existing Street No. 6735, Ordering the work to proceed and adopting the special assessments for the 54th St W Street Reconstruction Project", passed Feb. 12, 2016, and further amended by Resolution 2016R-116 passed April 1, 2016.**

That the above-entitled resolution, as amended, be further amended to read as follows to reduce the special assessments to be collected for the project due to a reduction of the assessment for the property located at 1501 54th St W:

Whereas, a public hearing was held on Feb. 2, 2016, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.180, to consider the proposed improvements as designated in Resolution 2015R-512 passed Dec. 11, 2015, to consider the proposed special assessments, as on file in the Public Works Special Assessments Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments; and

Whereas, the total amount of assessments for the 54th St W Reconstruction Project were reduced from \$640,000 to \$577,037, as a result of a reduction of the assessment for City Church, 1501 54th St W, as set forth in Resolution 2016R-116, passed April 1, 2016; and

Whereas, the assessments for the 54th St W Reconstruction Project were further reduced by settlement in the matter of City Church v. City of Minneapolis, Court File No. 27-CV-16-3649 that reduces the assessment for Property ID 21-028-24-21-0010 by \$26,656.90, from \$97,656.90 to \$71,000;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-512 passed Dec. 11, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of ~~\$611,110~~ ~~\$577,036.55~~ be reduced by ~~\$34,073.45~~ ~~\$26,656.90~~ to ~~\$577,036.55~~ ~~\$550,379.65~~ due to a reduction of the assessment for the property located at 1501 54th St W also known as PID 21-028-24-21-0010, as on file in the Public Works Special Assessments Office, be and hereby are adopted and assessed against the benefited properties as Levy 01026, Project 6755C.

Be It Further Resolved that the current assessment appropriation be reduced from ~~\$640,000~~ ~~\$577,037~~ to ~~\$577,037~~ ~~\$550,380~~.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2018 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2018 real estate tax statements.

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)

Absent: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-389 amending Resolution 2016R-046 entitled "Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$611,110 for certain purposes other than the purchase of public utilities", passed Feb. 12, 2016, and further amended by Resolution 2016R-117 passed April 1, 2016, due to a further reduction of the assessment for the property located at 1501 54th St W.

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

**RESOLUTION 2016R-389**

**By Reich and Quincy**

**Amending Resolution 2016R-046 entitled "Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$611,110 for certain purposes other than the purchase of public utilities", passed Feb. 12, 2016, and further amended by Resolution 2016R-117 passed April 1, 2016, due to a further reduction of the assessment for the property located at 1501 54th St W.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to read as follows to reduce the bonds requested to be sold for the 54th St W Street Reconstruction Project due to a further reduction of the assessment for the property located at 1501 54th St W:

**Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of ~~\$577,040~~ \$550,380 for certain purposes other than the purchase of public utilities.**

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 54th St W Street Reconstruction Project, Special Improvement of Existing Street No. 6735, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

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

Noes: (0)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby approves amending the City Council action passed Aug. 19, 2016, to change the vendor name on a professional services contract for the Nicollet-Central Modern Streetcar Project as follows:

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-35625 with ~~AECOM~~ URS, extending the contract to March 31, 2018, and increasing the contract by \$224,000, for a revised contract total of \$2,140,000, to complete additional environmental review and pre-project development tasks for the Nicollet-Central Modern Streetcar 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8312 from PCiRoads, LLC, in the amount of \$681,700, to furnish and deliver all labor, materials, and incidentals necessary for the construction of the Lyndale Avenue Gate Valve Chamber Rehabilitation Project 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8317 from Ti-Zack Concrete, Inc., in the amount of \$1,967,870.95, to furnish and deliver all labor, materials, and incidentals necessary for the Revised Signal Systems (12) and Pedestrian Curb Ramp Improvements Project (S.P. 141-030-023) for the Public Works Traffic and Parking Services 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8327 from Engineering and Construction Innovations, Inc., in the amount of \$3,969,774 to furnish and deliver all labor, materials, and incidentals necessary for the construction of the 10th Ave Storm Tunnel Repairs Phase IV Project for the Public Works Surface Water and Sewers 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)

Absent: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

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

The Minneapolis City Council hereby approves the proposed settlement of the lawsuit brought in the matter of Michael L. Barnes, Jr. v. City of Minneapolis, et al., Court File No. 15-CV-0029 (MJD/JJK) by the payment of \$15,000 to Josh Williams, the attorney for Michael L. Barnes, Jr., and authorizes 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)

Absent: (0)

The report was adopted.

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The Minneapolis City Council hereby approves the settlement of Robert Lilienfeld v. Troy Carlson and John Haugland (U.S. District Court File No. 16-cv-2542 (RHK/KMM)) by payment of \$19,500 to Robert Lilienfeld and his attorneys, and authorizes 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby approves the settlement of the workers' compensation claim of Daniel S. Loe by payment of \$110,000 to Daniel S. Loe and his attorneys, Meuser & Associates, and authorizes 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby approves the settlement of the workers' compensation claim of Steven D. Lecy by payment of \$141,500 to and his attorney, Martin T. Montilino, and authorizes 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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby approves the settlement of lawsuit of Patricia K. Karasov v. City of Minneapolis, et.al. by payment of \$50,000, as well as requiring additional training of the named defendant officers who remain employed by the City, and compliance with the Driver's Privacy Protection Act.

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)

Absent: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2016R-390 authorizing a gift acceptance of approximately \$1,600 from Slow Food USA and Slow Food MN for travel and lodging expenses for Tamara Downs Schwei, Sustainability Program Coordinator, to travel to the Terra Madre Slow Food International Conference in Turin, Italy in September 2016.

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

**RESOLUTION 2016R-390**

**By Quincy**

**Authorizing the City of Minneapolis to accept a gift of approximately \$1,600 from Slow Food USA and Slow Food MN for travel and lodging expenses.**

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, Slow Food USA and Slow Food MN have offered to contribute travel and lodging expenses for City of Minneapolis Sustainability staff to attend the Slow Food International bi-annual conference in Turin, Italy in September 2016; 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 the purposes stated, as allowed by law; and

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

Whereas, the prohibitions contained in the Ethics in Government Code and the Minnesota Gift Ban do not apply to gifts accepted pursuant to Minnesota Statutes 465.03; and

Whereas, Section 465.03 of Minnesota Statutes requires such gift acceptance be made by resolution of City Council, adopted by a two-thirds majority of its members and expressing such terms in full;

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

That the donation described above is hereby accepted and shall be used for public purposes.

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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Accepts a grant from the Greater Twin Cities United Way, in the amount of \$15,000, to support the Talking is Teaching: Talk, Read, Sing campaign.
2. Passage of Resolution 2016R-391 approving appropriation of funds to the City Coordinator 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)

Absent: (0)

The report was adopted.

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

**RESOLUTION 2016R-391**

**By 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 City Coordinator Department in the Grants-Other Fund (01600-8400100) by \$15,000, and increasing the revenue estimate (01600-8400100-372003) by \$15,000.

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)

Absent: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2016R-392 authorizing acceptance of a gift from sponsors of up to 50 admission tickets to the 2016 Business Day at City Hall.

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

**RESOLUTION 2016R-392**

**By Quincy**

**Authorizing the City of Minneapolis to accept a gift of attendance fees given to assist the City of Minneapolis in participating in the 2016 Business Day at City Hall.**

Whereas, 2016 Business Day at City Hall is an event sponsored by Minneapolis Regional Chamber of Commerce, Meet Minneapolis, BOMA Greater Minneapolis, the Minneapolis Downtown Council, the Lake Street Council, the Warehouse District Business Association, the West Broadway Business and Area

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Coalition, the East Town Business Partnership, the Southwest Business Association, and the Twin Cities Metro Independent Business Alliance, (collectively, the “Sponsors”); and

Whereas, the 2016 Business Day at City Hall (the “Event”) is scheduled for Friday, October 14, 2016; and  
Whereas, the City has agreed to host the Event at City Hall; and

Whereas, the Event has an admission of \$20; and

Whereas, the Sponsors wish to donate up to 50 admission tickets to the Event for the Mayor, City Council members and City leadership to accommodate Council Member and City leadership participation in the Event; and

Whereas, the Mayor is speaking to the attendees of the Event; and

Whereas, the business community will have the opportunity to engage in dialogue with the Mayor, Council Members, and City Leadership; and

Whereas, City Leadership is scheduled to present at the Event’s various Town Hall gatherings focused on growing the city, public safety, regulatory services and public policy; and

Whereas, a good faith estimate of the value of the City’s hosting of the Event and the time contributed by the City’s elected officials and staff exceeds the value of the admission tickets ; and

Whereas, to any extent the value of the City’s contributions do not exceed the value of the admission tickets and the provided food and beverage, the items would be prohibited gifts under the Minneapolis Ethics in Government Code and the Minnesota Gift Ban; and

Whereas, the prohibitions contained in the Ethics in Government Code and the Minnesota Gift Ban do not apply to gifts accepted pursuant to Minnesota Statutes 465.03; and

Whereas, Section 465.03 of Minnesota Statutes requires such gift acceptance be made by resolution of City Council, adopted by a two-thirds majority of its members and expressing such terms in full;

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

That the Sponsor’s offer up to 50 admission tickets to the 2016 Business Day at City Hall shall be accepted as a gift on behalf of the City of Minneapolis.

Be It Further Resolved that other than the provision of the City Hall location and the time contributed by the City’s elected officials and city leadership, no goods or services will be provided in exchange for the contribution of the admission tickets.

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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-39716 with Blackstone Contractors LLC (O.P. No. 8107) in the amount of \$11,440, for a revised contract total of \$117,318, for additional improvements to the Gateway Art Restoration Project and extending the contract end date to June 30, 2017.

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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Authorizes a new four year contract with Cost, Planning, and Management International (CPMI) Inc. for Owner's Project Representative Services for the new Downtown Office Building Project in an amount not-to-exceed \$1,300,000.

2. Passage of Resolution 2016R-393 approving appropriation of \$1.3 million to the Finance & Property Services 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)

Absent: (0)

The report was adopted.

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

**RESOLUTION 2016R-393**

**By 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 Finance & Property Services Department in the Capital Project Fund (04180-9010923) by \$1.3 million, to be reimbursed by bonds to be issued at a later date.

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)

Absent: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes three-year contracts with HealthPartners, Medica, and UCare to provide health insurance options for Medicare-eligible City retirees and their eligible dependents.

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)

Absent: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

The Minneapolis City Council hereby:

1. Authorizes a contract for a not-to-exceed amount of \$100,000 to Ramsey County for fair housing analysis of impediments consultant and research services to be delivered in the form of an Addendum to the 2014 Regional Analysis of Impediments to Fair Housing in partial compliance of the terms of a HUD Voluntary Compliance Agreement.

2. Passage of Resolution 2016R-394 approving appropriation of \$100,000 to the Department of 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)

Absent: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

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

**RESOLUTION 2016R-394**

**By 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 Department of Community Planning & Economic Development in the Community Development Block Grant Fund (01400-8900220) by \$100,000, and increasing the revenue estimate in the CDBG Fund (01400-8900900-Source 321008) by \$100,000.

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)

Absent: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 9/23/2016.

(Published 9/27/2016)

The Minneapolis City Council hereby authorizes a contract with Aeritae Consulting Group Ltd, in the amount of \$1,000,000 through Oct. 4, 2019, with the option to extend for two additional one-year terms, for professional services for the replacement of the Solid Waste Information System (SWIS) and the governance over all ServiceNow module implementations.

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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-40044 by \$60,000, for a new not-to-exceed total amount of \$260,000, to assist Information Technology in the continued phases of the Elections Management System.

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)

Absent: (0)

The report was adopted.

The Minneapolis City Council hereby:

1. Adopts findings that the proposed position meets the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, City Council to Establish Positions.
2. Approves the appointed position of Chief Resiliency Officer, evaluated at 620 total points and allocated to Grade 13.
3. Passage of Ordinance 2016-066 approving the salary schedule for the position, which has a salary range of \$109,249 to \$129,508, in accordance with the adopted compensation plan for appointed officials effective September 23, 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)

Absent: (0)

The report was adopted.

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

**ORDINANCE 2016-066**  
**By Quincy**

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

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

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

**Appointed Officials (CAP)**  
**Effective: Sept. 23, 2016**

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>PTS</b>	<b>G</b>	<b>P</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
E	1	Chief Resiliency Officer	620	13	A	\$109,249	\$114,999	\$117,299	\$119,645
						<b>Step 5</b>	<b>Step 6</b>	<b>Step 7</b>	<b>Step 8</b>
						\$122,038	\$124,479	\$126,968	\$129,508

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)

Absent: (0)

The ordinance was adopted.

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

The Minneapolis City Council hereby:

1. Approves an application by Alatus-MyHomeSource to vacate the partial alley that connects with Girard Ave N just north of 49th Ave N and the partial alley that connects with Girard Ave N just south of 50th Ave N.
2. Passage of Resolution 2016R-395 approving Vac-1660.

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)

Absent: (0)

The report was adopted.

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

September 23, 2016

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**RESOLUTION 2016R-395**

**By Bender**

**Vacating a portion of the alley in Blocks 5 and 11, Humboldt Greenway Fifth Addition (Vacation File No. 1660).**

Resolved by the City Council of the City of Minneapolis:

To vacate that part of the alley as dedicated in the record plat of Humboldt Greenway Fifth Addition in Hennepin County, Minnesota. Said vacated portions lying South and Southwesterly of the southerly and southwesterly lines of Lot 2, Block 5 of said Humboldt Greenway Fifth Addition and lying East of the southerly extension of the west line of said Lot 2 and lying West of the southerly extension of the east line of said Lot 2. And to vacate that portion of alley being a 14 foot wide strip of land lying North of the most northerly line and its westerly extension of Lot 5, Block 11 of said Humboldt Greenway Fifth Addition and lying East of the northerly extension of the most westerly line of said Lot 5 and lying West of the northerly extension of the east line of said Lot 5 is hereby vacated.

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)

Absent: (0)

The resolution was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2016-067 amending Title 20, Chapters 521 and 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally; and Overlay Districts, add in Chapter names, expanding and amending the Pedestrian Oriented Overlay District along Central Avenue Northeast.

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

**ORDINANCE 2016-067**

**By Bender**

**Intro & 1st Reading: 1/25/2013**

**Ref to: Z&P**

**2nd Reading: 9/23/2016**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

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

Section 1. That Section 521.30 contained in Chapter 521, Zoning Districts and Maps Generally, of the above-entitled ordinance be amended by changing the zoning districts for the parcels of land listed below and identified on Zoning District Plates 6 and 10, pursuant to MS 462.357:

## September 23, 2016

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<b>Property ID #</b>	<b>Address</b>	<b>Overlay Zoning Change</b>
1302924220078	1704 TYLER ST NE	PO Added
1302924220077	1706 TYLER ST NE	PO Added
1402924110012	1708 CENTRAL AVE NE	PO Added
1302924220076	1712 TYLER ST NE	PO Added
1302924220075	1716 TYLER ST NE	PO Added
1302924220094	1717 CENTRAL AVE NE	PO Added
1102924440060	1800 CENTRAL AVE NE	PO Added
1202924330192	1801 CENTRAL AVE NE	PO Added
1102924440059	1804 CENTRAL AVE NE	PO Added
1102924440058	1810 CENTRAL AVE NE	PO Added
1102924440057	1814 CENTRAL AVE NE	PO Added
1102924440056	1822 CENTRAL AVE NE	PO Added
1102924440158	1828 CENTRAL AVE NE	PO Added
1202924330216	1835 CENTRAL AVE NE	PO Added
1202924330122	1839 CENTRAL AVE NE	PO Added
1102924440197	1840 CENTRAL AVE NE	PO Added
1102924440196	1844 CENTRAL AVE NE	PO Added
1202924330123	1851 CENTRAL AVE NE	PO Added
1102924440201	1900 CENTRAL AVE NE	PO Added
1202924330210	1911 CENTRAL AVE NE	PO Added
1102924440002	1920 CENTRAL AVE NE	PO Added
1102924440001	1926 CENTRAL AVE NE	PO Added
1102924440104	2000 CENTRAL AVE NE	PO Added
1102924440102	2008 CENTRAL AVE NE	PO Added
1202924330209	2011 1/2 CENTRAL AVE NE	PO Added
1102924440100	2014 CENTRAL AVE NE	PO Added
1202924330204	2015 CENTRAL AVE NE	PO Added
1102924440099	2016 CENTRAL AVE NE	PO Added
1102924410089	2026 CENTRAL AVE NE	PO Added
1202924320235	2329 CENTRAL AVE NE	PO Added
1202924230099	2601 CENTRAL AVE NE	PO Added
1202924230100	2611 CENTRAL AVE NE	PO Added
1202924230101	2619 CENTRAL AVE NE	PO Added
1102924140234	2620 CENTRAL AVE NE	PO Added
1202924230102	2623 CENTRAL AVE NE	PO Added
1202924230103	2625 CENTRAL AVE NE	PO Added
1102924140008	2626 CENTRAL AVE NE	PO Added
1102924140007	2628 CENTRAL AVE NE	PO Added

<b>Property ID #</b>	<b>Address</b>	<b>Overlay Zoning Change</b>
1102924140006	2632 CENTRAL AVE NE	PO Added
1102924140005	2636 CENTRAL AVE NE	PO Added
1202924230194	2639 CENTRAL AVE NE	PO Added
1102924140004	2642 CENTRAL AVE NE	PO Added
1202924230195	2643 CENTRAL AVE NE	PO Added
1102924140003	2646 CENTRAL AVE NE	PO Added
1102924140001	2650 CENTRAL AVE NE	PO Added
1102924140235	2700 CENTRAL AVE NE	PO Added
1102924110002	2700 CENTRAL AVE NE	PO Added
1202924220104	2701 CENTRAL AVE NE	PO Added
1102924440003	916 20TH AVE NE	PO Added
1102924410091	916 22ND AVE NE	PO Added
1102924140002	916 27TH AVE NE	PO Added
1102924440159	917 18 1/2 AVE NE	PO Added
1102924440103	917 20TH AVE NE	PO Added
1102924110003	917 27TH AVE NE	PO Added
1102924440053	918 18 1/2 AVE NE	PO Added
1102924410092	920 22ND AVE NE	PO Added
1102924440101	921 20TH AVE NE	PO Added
1102924440054	922 18 1/2 AVE NE	PO Added
1102924410090	922 22ND AVE NE	PO Added
1102924440055	926 18 1/2 AVE NE	PO Added
1202924330121	942 19TH AVE NE	PO Added
1202924330120	946 19TH AVE NE	PO Added
1202924320229	946 LOWRY AVE NE	PO Added
1202924320089	947 24TH AVE NE	PO Added
1302924220074	948 18TH AVE NE	PO Added
1202924230205	951 LOWRY AVE NE	PO Added
1202924320079	952 LOWRY AVE NE	PO Added
1202924330119	954 19TH AVE NE	PO Added
1202924320080	954 LOWRY AVE NE	PO Added
1202924320081	958 LOWRY AVE NE	PO Added

Section 2. That Section 521.30 contained in Chapter 521, Zoning Districts and Maps Generally, of the above-entitled ordinance be amended by changing the zoning district boundaries so that they follow the centerline of public rights-of-way in a manner identified on maps accompanying the Central Avenue Northeast Pedestrian Oriented Overlay Rezoning Study.

Section 3. That Section 551.170 contained in Chapter 551, PO Pedestrian Oriented Overlay District, of the above-entitled ordinance be amended to read as follows:

**551.170. - Central and Lowry area.** The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Central Avenue Northeast and Lowry Avenue Northeast, as shown on the official zoning map:

~~(1) *Drive-through banking facilities.* Notwithstanding any other provision to the contrary, an existing drive-through banking facility may be rebuilt or may add one (1) additional drive-through lane provided the drive-through banking facility or additional drive-through lane is located within the boundaries of the zoning lot existing on the effective date of this ordinance, and subject to all other applicable regulations of this zoning ordinance.~~

(1) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement of one (1.0). Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

~~(2) *Building alteration or replacement.* The alteration of an existing building shall not result in a reduction of the existing number of stories (e.g., a two-story building shall not be reduced to a one-story building or be replaced by less than a two-story building).~~

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)

Absent: (0)

The ordinance was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2016-068 amending Title 20, Chapters 525, 535, and 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement; Regulations of General Applicability; and Downtown Districts, developing requirements for design of skyways.

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

**ORDINANCE 2016-068**  
**By Gordon and Palmisano**  
**Intro & 1st Reading: 5/15/2015 and 8/19/2016**  
**Ref to: Z&P**  
**2nd Reading: 9/23/2016**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

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

Section 1. That Section 525.520 contained in Chapter 525, Administration and Enforcement, be amended to read as follows:

**525.520. Authorized variances.** Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment, city planning commission, or city council only in accordance with the requirements of section 525.500, and may be granted only in the following instances, and in no others:

- (1) To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations.
- (2) To vary the lot area or lot width requirements up to thirty (30) percent, except for the following uses, where the maximum variance of thirty (30) percent shall not apply.
  - a. To vary the lot area or lot width requirements up to fifty (50) percent for schools, grades K-12, located in the OR2, OR3 and commercial districts.
  - b. To vary the lot area or lot width requirements up to fifty-five (55) percent for newly constructed two-family dwellings located in the R2B District, provided the surrounding properties are primarily two-family dwellings developed on lots similar in size to the proposed development.
- (3) To vary the gross floor area, floor area ratio and seating requirements of a structure or use.
- (4) Unless otherwise controlled by conditional use permit, to vary the height requirements for any structure, except signs, provided that the total floor area ratio on the site shall not be exceeded, and provided further that the maximum height of any accessory structure shall not exceed sixteen (16) feet or sixty (60) percent of the height of the structure to which it is accessory, whichever is greater. The maximum height of a detached accessory dwelling unit may be varied, provided that the height of the detached accessory dwelling unit shall not exceed the height of the principal structure.
- (5) To permit an increase in the maximum height of a fence.
- (6) To vary the applicable minimum and maximum number of required off-street parking, stacking or loading spaces.
- (7) To increase the percentage of required parking spaces that may be satisfied by providing compact spaces.
- (8) To permit parking that cannot comply with the location requirements for on-site parking, as specified in Chapter 537, Accessory Uses and Structures, and Chapter 541, Off-Street Parking and Loading.
- (9) To increase by not more than five hundred (500) feet the maximum distance that required parking spaces are permitted to be located from the use served, and where off-site parking is prohibited, to allow off-site parking up to five hundred (500) feet away.
- (10) To vary the location of off-site parking, as specified in Table 541-5 Location of Off-Site Parking, provided such off-site parking is not located in a residence or office residence district.
- (11) To increase the maximum number of vehicles permitted to be parked outdoors.

(12) To vary the minimum width of single or two-family dwellings and multiple-family dwellings of three (3) and four (4) units provided the dwelling is located on a zoning lot existing on the effective date of this ordinance that is forty (40) feet or less in width.

(13) To increase the maximum allowed length of a recreational vehicle, or to permit the parking of such vehicle outside the rear forty (40) feet of the lot, as regulated in Chapter 541, Off-Street Parking and Loading. In no case shall the variance allow such vehicle to exceed thirty-five (35) feet in length.

(14) To reduce the minimum required width of parking aisles or to increase the maximum width of driveways in any zoning district, as regulated in Chapter 541, Off-Street Parking and Loading, or to reduce the minimum required width of driveways in the residence and OR1 Districts from ten (10) feet to eight (8) feet, provided there is no alley or alternative public access to the lot.

(15) To vary the maximum lot coverage and impervious surface coverage requirements.

(16) To vary the surfacing requirements of Chapter 541, Off-Street Parking and Loading. Factors to be considered in varying the surfacing requirements for the industrial districts shall include but not be limited to the following: The yard and parking uses are in the same area; use of heavy equipment will cause excessive hard surface breakup; parking movements are infrequent; the area is distant from other nonindustrial zone uses; or water infiltration is ecologically desirable.

(17) To permit development in the SH Shoreland Overlay District on a steep slope or bluff, or within forty (40) feet of the top of a steep slope or bluff.

(18) To permit development in the SH Shoreland Overly District within fifty (50) feet of a protected water.

(19) To permit alternative forms of flood protection for uses and structures located in the FP Floodplain Overlay District, provided no variance shall permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area or permit standards lower than those required by state law. In areas designated as AO zones on the flood insurance rate map, a variance may be granted to the requirement that buildings be elevated to one (1) foot above the elevation of the ground surface prior to construction next to the proposed walls of the building, provided the application includes a detailed hydraulic analysis that supports such variance as sound floodplain management and a letter of map revision from the Federal Emergency Management Agency.

(20) To vary the standards of any overlay district, other than the SH Shoreland Overly District or the FP Floodplain Overlay District.

(21) To vary the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs.

(22) To vary the development standards of Chapter 536, Specific Development Standards and Chapter 537, Accessory Uses and Structures, except that specific minimum distance and spacing requirements may be varied only to allow for the relocation of an existing use where the relocation will increase the spacing between such use and any use from which it is nonconforming as to spacing, or will increase the

distance between such use and any protected boundary or use from which it is nonconforming as to distance. Further, the owner occupancy requirement for accessory dwelling units shall not be varied.

(23) To vary the limit of one (1) principal residential structure per zoning lot for structures located in the R2 District existing on the effective date of this ordinance, provided at least one (1) of the structures shall have a minimum of six thousand (6,000) square feet of floor area.

(24) To permit development on a zoning lot existing on the effective date of this ordinance that cannot comply with the requirement of frontage on a public street, where it is determined that there is sufficient access to the property without such frontage.

(25) To vary the screening and landscaping requirements of this zoning ordinance.

(26) To vary the enclosed building requirements of this zoning ordinance.

(27) To vary the minimum sign spacing standards and nonconforming sign area credits requirements of Chapter 544, Off-Premise Advertising Signs and Billboards, to allow the relocation of an existing off-premise advertising sign of the same or less square footage, where removal of the sign is necessary to allow a development that includes not less than thirty (30) housing units that meet the definition of affordable housing, or to allow a mixed-income development of not less than thirty (30) housing units that receives city financial assistance, or to allow a capital improvement project of a governmental agency. An existing off-premise advertising sign shall include but not be limited to a sign existing on June 17, 2002.

(28) To vary the width and location restrictions on attached garages facing the front lot line for residential uses.

(29) To vary the development standards of Chapter 535, Plazas and Skyways.

(30) To vary the requirement for enclosed off-street parking for new single- and two-family dwellings established after November 1, 2009.

(31) To permit curb cut access to the street for properties with an alley that serves a single- and two-family dwelling or multiple-family dwelling having three (3) or four (4) units.

Section 2. That Chapter 535, Regulations of General Applicability, of the Minneapolis Code of Ordinances be amended by adding thereto a new Article XIII, including Sections 535.880 through 535.920, to read as follows.

### **ARTICLE XIII. SKYWAYS**

**535.880. Purpose.** Regulations governing new skyways are established to provide for appropriate location for skyways and to ensure the design of skyways contribute to the built and natural environment.

**535.890. Definitions.** As used in this article, the following words shall mean:

*Bird-safe glazing.* Bird-safe glazing includes one of the following:

(1) Façade materials with a Leadership in Energy and Environmental Design (LEED) Material Threat Factor less than or equal to twenty-five (25); or

(2) Physical structures or glass patterns that are visible from the outside and the resulting pattern creates spaces no wider than four (4) inches horizontally or two (2) inches high vertically, also known as the “2x4 rule”; or

(3) A glass pattern that is white to medium gray, visible from the outside, and shall meet at least one (1) of the specific standards below:

a. Horizontal line patterns shall be one-eighth (1/8) inch wide with two (2) inch on-center spacing; or,

b. Vertical line patterns shall be one-eighth (1/8) inch wide with four (4) inches on-center spacing; or,

c. Dot patterns with dots one-quarter (1/4) inch wide with two (2) inch on-center spacing each way; or,

d. Dot patterns with dots three-eighths (3/8) inch wide arranged in horizontal lines with two (2) inch on-center spacing or vertical lines with four (4) inch on-center spacing.

Skyway. An enclosed, elevated pedestrian bridge extending from building face to building face that spans a public street, public alley, or is located within private property.

**535.900. Permitted uses subject to administrative review and approval.** Skyways shall be subject to administrative review and approval by the zoning administrator, as specified in section 535.910, and shall comply with the standards of section 535.920.

**535.910. Administrative review process.** (a) *In general.* The zoning administrator shall approve or deny such application prior to the issuance of an encroachment permit. The zoning administrator may impose such conditions and require such guarantees deemed reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan. If proposed as part of a project that includes a separate land use application, a skyway shall be reviewed concurrently with said application.

(b) *Submittal requirements.* The applicant shall comply with the general application requirements of Chapter 525, Administration and Enforcement.

(c) *Appeals.* Notwithstanding the provisions of Chapter 525, Administration and Enforcement, decisions of the zoning administrator regarding the administrative review of permitted skyways shall be subject to appeal to the city planning commission.

**535.920. Development standards for all permitted skyways.** New skyways shall comply with the following standards and all other applicable regulations of this zoning ordinance:

(1) *All skyways.*

a. At least eighty (80) percent of the exterior sidewalls of the skyway shall be glazing that allows views into and out of the skyway. Glazing shall have clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher.

b. At least eighty-five (85) percent of the glazing area of the exterior sidewalls of a skyway shall meet the bird-safe glazing definition.

(2) Skyways that cross a public street or a public alley.

a. Skyways will only be considered for uses in downtown zoning districts; or hospital, college, or university uses outside of downtown zoning districts, subject to the standards of this article.

b. Skyways shall only be allowed on the second floor of a building.

c. Skyways shall run perpendicular to the public street or public alley that they cross.

d. Skyways shall be designed to be horizontally level with the street. Changes in grade shall be accommodated so that the skyway appears level from the exterior.

e. Skyways shall not be allowed within fifteen (15) feet of a street intersection. Skyways are encouraged to cross public streets and alleys in the middle portion of the block.

f. Skyways shall be a single story.

g. The bottom of skyways shall be a minimum of sixteen (16) feet six (6) inches above the public street or public alley.

h. Skyways shall comply with the requirements of subsections (1) and (3) of this section as applicable.

(3) Skyways within the downtown skyway system.

a. Skyway width shall be carefully considered in relation to each skyway's relative location within the system and the projected intensity of use for that skyway and shall be subject to the following conditions:

1. Skyways and connecting corridors shall have a minimum interior clear width of twelve (12) feet between handrails.

2. The exterior width of skyways shall be no wider than thirty (30) feet.

3. Skyways and connecting corridors within the core of the downtown skyway system are encouraged to have a minimum interior clear width of eighteen (18) feet.

b. Access to skyways shall be facilitated between street and skyway levels. Such access shall be subject to the following conditions:

1. A public entrance that is clearly defined and emphasized through the use of architectural features, such as an awning, glazing, or other details, shall provide street access to the skyway.

2. Exterior signage shall be provided at the street-level entrance noting the skyway entrance location.

3. Elevators, stairs and escalators linking the street and skyway level shall be clearly identified with directional signage. For new buildings, elevators, stairs and escalators linking the street and skyway level shall also be conveniently located.

4. Interior signage shall be provided at the skyway level, noting access to public streets.

c. Skyways shall remain open to the public Monday through Friday, from 6:30 a.m. to 10:00 p.m., Saturday, from 9:30 a.m. to 8:00 p.m., and Sunday, from 12:00 p.m. to 6:00 p.m. Property owners are encouraged to keep their skyways, connecting corridors, and vertical circulation elements open beyond standard hours of operation.

d. Skyway bridges shall be used exclusively for pedestrian movement. Other uses such as retailing, permanent seating, vending, and display shall be confined to spaces off the skyway bridge.

e. Skyways shall comply with the requirements of subsections (1) and (2) of this section as applicable.

Section 3. That Section 549.220 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.220. Floor area ratio premiums.** The following floor area ratio premiums shall be available as specified in Table 549-4, Maximum Floor Area Ratio Premiums in the Downtown Districts, subject to the provisions of this article, provided all other requirements of this zoning ordinance are met:

(1) Urban open space, outdoor, subject to the following standards:

a. Outdoor open space shall comprise at least fifty (50) feet of street frontage. Small outdoor open space shall contain not less than five thousand (5,000) contiguous square feet. Large outdoor open space shall contain not less than ~~then~~ than seven thousand five hundred (7,500) contiguous square feet.

b. Outdoor open space shall be easily accessible from the adjacent sidewalk and shall contain lighting for nighttime illumination.

c. Outdoor open space shall be located near building entrances. Not less than forty (40) percent of the first floor façade facing the outdoor open space shall include windows of clear or lightly tinted glass that allow views into and out of the building at eye level.

d. Outdoor open space shall be paved with materials that exceed city standards for sidewalk finishes and shall be landscaped with not less than one (1) permanent canopy tree and not less than five (5) shrubs for each one thousand (1,000) square feet of open space. All landscaping shall comply with the plant material and installation standards as specified in Chapter 530, Site Plan Review. Outdoor open space may include additional sidewalk area where the existing sidewalk is less ~~then~~ than fifteen (15) feet wide. The remainder of the area shall be covered with turf grass, native grasses or other perennial flowering plants.

e. Outdoor open space shall be open to the sky and located to maximize the access of sunlight, except that up to thirty (30) percent of the space may include a covered arcade with a minimum height of twenty-eight (28) feet.

f. Outdoor open space shall be designed to encourage use by the general public through the provision of facilities and features including convenient and comfortable seating at a rate of not less than one (1) seat per two hundred (200) square feet of open space, tables, trash receptacles, plants, water features, and areas for public entertainment or public display of art or cultural exhibits.

g. Outdoor open space may contain tables and facilities for food service, but a majority of the space shall be available for general public use without charge.

h. The outdoor open space shall be open to the general public at least during the normal business hours of the surrounding area.

i. The outdoor open space shall be maintained in good order for the life of the principal structure.

(2) Urban open space, indoor, subject to the following standards:

a. Indoor open space shall be located at street level and shall be not more than three (3) feet above or below the level of the sidewalk. Small indoor open space shall contain not less than five thousand (5,000) contiguous square feet. Large indoor open space shall contain not less ~~than~~ than seven thousand five hundred (7,500) contiguous square feet.

b. Indoor open space shall be clearly visible and easily accessible from adjacent sidewalks or streets. Walls of an indoor open space area facing sidewalks or an outdoor open space area shall provide a clear view between interior and exterior space.

c. Indoor open space shall include an average height not less than thirty-five (35) feet and a minimum height of twenty (20) feet, and shall include natural light through a glazed roof or windows at a level sufficient to sustain a variety of plants and trees.

d. Indoor open space shall be designed to encourage use by the general public through the provision of facilities and features including convenient and comfortable seating at a rate of not less than one (1) seat per two hundred (200) square feet of open space, tables, trash receptacles, plants and trees, water features, drinking fountains and toilet facilities, and areas for public entertainment or public display of art or cultural exhibits. Not less than twenty (20) percent of the open space shall consist of landscaping or landscaping and water features.

e. Indoor open space may contain tables and facilities for food service, but a majority of the space shall be available for general public use without charge. Food preparation areas shall not qualify as required space.

f. The indoor open space shall be open to the general public at least during the normal business hours of the surrounding area.

g. The indoor open space shall be maintained in good order for the life of the principal structure.

(3) Interior through-block connection, subject to the following standards:

a. The connection shall connect two public streets on opposite sides of the block, or shall connect a public street to an urban open space on the opposite side of the block, or shall connect two urban open

spaces on opposite sides of the block, or shall connect to another interior through-block connection. In addition, on developments involving less than one-half block, the interior through-block connection may connect two public streets on opposite sides of the block in combination with corridors in one (1) or more buildings.

b. The connection shall be located not more than three (3) feet above or below the level of the sidewalk, shall have a minimum interior clear width of twelve (12) feet and a minimum height of twelve (12) feet. The maximum interior through-block connection premium shall be increased by one (1) where the interior through-block connection has a minimum interior clear width of sixteen (16) feet.

c. The connection shall be open to the general public at least during the normal business hours of the surrounding area.

d. The connection entrances shall be clearly visible from adjacent sidewalks or streets.

e. The connection shall be maintained in good order for the life of the principal structure.

(4) Skyway connection, subject to the standards of Chapter 535, Regulations of General Applicability, and the following standards:

a. The skyway shall connect two blocks on opposite sides of the street.

~~b. The bottom of the skyway shall be a minimum of sixteen (16) feet six (6) inches above the street. If street lights are removed, street lighting shall be provided at the bottom of the skyway.~~

b. The maximum skyway premium shall be increased by one (1) where the skyway and connecting corridor have a minimum interior clear width of sixteen (16) feet.

~~c. Skyways and connecting corridors shall have a minimum interior clear width of twelve (12) feet. Skyways shall be no wider than thirty (30) feet.~~

~~d. Skyways shall be single story and designed to be horizontally level with the street. Changes in grade shall be accommodated so that the skyway appears level from the exterior.~~

~~e. c.~~ Except where crossing streets and alleys, skyways shall be located within private property.

~~f. At least eighty (80) percent of the vertical enclosure of the skyway shall be glazing windows of clear or lightly tinted glass that allow views into and out of the skyway.~~

~~g. Skyways in new buildings shall be designed to facilitate access between street and skyway levels with a public entrance on the exterior of the building or access lobby. Elevators, stairs and escalators linking the street and skyway levels shall be conveniently located with clear directional signs.~~

~~h. d.~~ Skyways shall be heated to a minimum of fifty-five (55) degrees in winter and ventilated to not exceed outdoor temperatures in the summer.

~~i. The skyway shall be open to the general public at least during the hours recommended by the skyway advisory board and approved by the city council.~~

e. Skyways that are part of the downtown skyway system shall remain open to the public Monday through Friday, from 6:30 a.m. to 10:00 p.m., Saturday, from 9:30 a.m. to 8:00 p.m., and Sunday, from 12:00 p.m. to 6:00 p.m.

j. f. The skyway shall be maintained in good order for the life of the principal structure.

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)

Absent: (0)

The ordinance was adopted.

#### REPORTS OF SPECIAL COMMITTEES

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

Palmisano moved that the report from the Audit Committee on the State Auditor's Finding 2014-003 relating to PeopleSoft Access be received, and the matter be referred to the City Coordinator for a report to the Committee of the Whole on progress by the end of calendar year 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)

Absent: (0)

The motion was adopted.

#### INTRODUCTION & REFERRAL CALENDAR

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

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending floodplain regulations and maps consistent with the requirements of the National Flood Insurance Program:

1. Chapter 521 Zoning Districts and Maps Generally.
2. Chapter 551 Overlay Districts.

#### RESOLUTIONS

Resolution 2016R-396 honoring Bishop Richard D. Howell Jr. for his lifetime commitment to the City of Minneapolis was adopted.

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

September 23, 2016

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**RESOLUTION 2016R-396**

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

**Honoring Bishop Richard D. Howell Jr.**

Whereas, Bishop Richard D. Howell is the pastor at Shiloh International Temple in North Minneapolis; and

Whereas, Bishop Howell is the third generation of his family to lead their flock at Shiloh following in the footsteps of his parents and grandparents; and

Whereas, Bishop Howell has been the pastor and overseer at Shiloh for over 20 years; and

Whereas, Bishop Howell has been active with the Minneapolis Police Department, the Hennepin County Sheriff's Community Advisory Board, the Rotary Club, the Minneapolis Urban League, and the His Works United Stairstep Foundation as a leader, a pastor, and as a community representative; and

Whereas, Bishop Howell is the Diocesan over the 7th Episcopal District of the Pentecostal Assemblies of the World, which includes Minnesota, Wisconsin, and North and South Dakota; and

Whereas, Bishop Howell is a graduate of North Central Bible College, St. Thomas Christian College, and Friends International Christian University, and the bearer of Honorary Doctorates from Aeon Bible College and St. Thomas University;

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

That the City Council, on behalf of the people of Minneapolis, hereby recognizes Bishop Richard D. Howell's legacy of service to the residents and communities of Minneapolis, especially his lifetime commitment to the spiritual health of his flock in this city.

Resolution 2016R-397 declaring November 7, 2016, as Complex Regional Pain Syndrome Awareness Day in the City of Minneapolis was adopted.

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

**RESOLUTION 2016R-397**

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

**Declaring November 7, 2016, as Complex Regional Pain Syndrome Awareness Day.**

Whereas, complex regional pain syndrome (CRPS) is an uncommon form of chronic pain that usually affects an arm or a leg. Complex regional pain syndrome typically develops after an injury, surgery, stroke or heart attack, but the pain is out of proportion to the severity of the initial injury; and

Whereas, the cause of complex regional pain syndrome isn't clearly understood. Treatment for complex regional pain syndrome is most effective when started early. In such cases, improvement and even remission are possible; and

Whereas, CRPS is a condition that has been around since the Civil War, yet is still relatively unknown and misunderstood; and

Whereas, there is no single test that can definitively diagnose complex regional pain syndrome, however bone scans, sympathetic nervous system tests, X-rays, and MRI may provide important clues that lead to diagnosis; and

Whereas, living with a chronic, painful condition can be challenging, especially when — as is often the case with complex regional pain syndrome — your friends and family don't believe you could be feeling as much pain as you describe;

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

That November 7, 2016, is declared Complex Regional Pain Syndrome Awareness Day in the City of Minneapolis, and that the 35W Bridge will be lit in orange on this day.

Resolution 2016R-398 declaring November 27, 2016, as March of Dimes Prematurity Awareness Day in the City of Minneapolis was adopted.

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

**RESOLUTION 2016R-398**

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

**Declaring November 27, 2016, as March of Dimes Prematurity Awareness Day.**

Whereas, premature birth is the most serious infant health problem in the United States today. It affects more than half a million babies nationwide each year, one in 10 in Minnesota; and

Whereas, the March of Dimes is the leading nonprofit organization for pregnancy and baby health; and

Whereas, the March of dimes is committed to reversing this trend by funding research to find the causes of premature birth and developing strategies to prevent it; and

Whereas, with chapters nationwide, the March of Dimes works to improve the health of babies by preventing birth defects, premature birth, and infant mortality; and

Whereas, the March of Dimes Signature Chefs Auction will be held Thursday, November 17, 2016, at the Minneapolis Event Center. It will feature 12 local chefs paired with a local brewery, winery, or distillery, providing tastes of their signature dishes and beverages. The event will feature a live auction and program raising awareness and funds to further the research of March of Dimes; and

September 23, 2016

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Whereas, the March of Dimes currently has over \$500,000 in research grants at the University of Minnesota;

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

That the 17th Day of November, 2016, be declared March of Dimes Prematurity Awareness Day in the City of Minneapolis, and that the 35W Bridge be lit purple on this day.

Resolution 2016R-399 honoring Tom Neiman for 43 years of service to the Southwest Community Education Program was adopted.

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

**RESOLUTION 2016R-399**

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

**Honoring Tom Neiman for 43 years of service to the Southwest Community Education Program.**

Whereas, Tom started the Southwest Community Education Program in 1974, as a way to provide the community with opportunities to do things they've never done before, and is a legend of the Southwest Minneapolis community; and

Whereas, Tom served as a Coordinator of the Southwest Community Education program, which provides our community a wide range of activities from open swimming to computer lessons, from canoe and ski trips to senior citizen activities, and from language instruction to dancing and cooking classes; and

Whereas, Tom created the Southwest Super Summer Program in 1985 for youth, a program that brought in nearly 3,000 total children this summer, providing parents with a safe and fun place to bring their young children, a place for youth to have their first internship, and a place of employment for high school and college students; and

Whereas, Tom has helped build a stronger community including organizing an annual spring community cleanup along Minnehaha Creek and Lake Harriet, the annual spring Community Sock Hop and the Southwest Community Halloween Party, which raises food items for a local food shelf; and

Whereas, Tom authored the famous ice cream song, sung every Thursday by students enrolled in the Southwest Community Education Super Summer Program; and

Whereas, Tom is warmly recognized by community members all over the country for his dedication to learning, exploring and connecting as a community; and

Whereas, Tom led a group hiking this year on his 19th biennial Glacial National Park trip and organized the program's 38th annual midnight to dawn bike ride; and

Whereas, under Tom's active leadership, the Southwest Community Education program has earned the respect of the community and introduced countless families to southwest Minneapolis; and

Whereas, Tom is recognized as a leader and innovator that has helped to educate and encourage two generations of families in the community during over four decades of leadership with the Southwest Community Education program.

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

That we commend Tom Neiman for decades of outstanding service with Southwest Community Education and his commitment to residents of Southwest Minneapolis and for his tireless work on behalf of the well-being and education of families, youth, neighborhoods, and communities.

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

Resolution 2016R-400 honoring Mayor Al Hofstede's legacy of advocacy, social justice, and public service to the people of Minneapolis was adopted.

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

**RESOLUTION 2016R-400**

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

**Honoring Mayor Al Hofstede.**

Whereas, Mayor Hofstede was born in Minneapolis on September 25, 1940 and graduated from the College of St. Thomas in 1974; and

Whereas, Mayor Hofstede served on the Minneapolis City Council from 1968-1970 and was subsequently appointed as the second chairman of the Metropolitan Council from 1971 to 1973; and

Whereas, Mayor Hofstede became the City of Minneapolis's 41st Mayor, its youngest and its first Catholic, in 1973 and again in 1978; and

Whereas, Mayor's Hofstede's passion while in office was housing, especially affordable housing for lower-income residents; and

Whereas, Mayor Hofstede was instrumental securing downtown Minneapolis as the location for the new St. Thomas campus; and

Whereas, Mayor Hofstede began the renaissance along the Mississippi river and saw to the early stages of its revitalization for all Minneapolis residents; and

Whereas, Mayor Hofstede's commitment to our community was exemplified by playing a key role in the founding of Catholic Eldercare, a nursing home and assisted-living complex in northeast Minneapolis; and

Whereas, Mayor Hofstede's remained active in the community after his public service, as the chair of the Minneapolis Public Housing Authority and as a board member of Catholic Charities and, in 1981, founded North State Advisors which focused on lobbying and consulting; and

Whereas, Mayor Hofstede represented the Minnesota civic ideal and saw public service not as a job but as "a commitment you make;"

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

That the Mayor & City Council hereby honor Mayor Al Hofstede's legacy of advocacy, social justice, and public service to the people of Minneapolis and that he be recognized as a pillar of our community and a shining example of the civic pride he exemplified.

Resolution 2016R-401 recognizing Breast Cancer Awareness Month and Metastatic Breast Cancer Awareness Day in the City of Minneapolis was adopted.

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

**RESOLUTION 2016R-401**

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

**Recognizing Breast Cancer Awareness Month and Metastatic Breast Cancer Awareness Day.**

Whereas, there are more than 3.1 million women in the United States living with a history of invasive breast cancer; and

Whereas, this year 3,820 women in Minnesota are expected to be diagnosed with breast cancer and 620 to die from the disease; and

Whereas, breast cancer ranks second as a cause of cancer death in women; and

Whereas, breast cancer screening has been found to reduce breast cancer mortality and when breast cancers are detected at an early stage, survival is 99%; and

Whereas, since 2002, approximately 80% of Minnesota women ages 40+ had received a mammogram in the previous two years; and

Whereas, only 46% of uninsured women in Minnesota received a recent mammogram in 2010; and

Whereas, the uninsured, underinsured and underserved are least likely to get screening for breast cancer, which means they are more likely to be diagnosed at a late stage when chances of survival drop to 24%; and

Whereas, in Minnesota, non-Hispanic white women are at the greatest risk of being diagnosed with breast cancer, but African American women are at the greatest risk of dying of breast cancer; and

Whereas, women ages 15 - 54 die more frequently from breast cancer than any other cancer and African American women under the age of 35 die from breast cancer at three times the rate of white women; and

Whereas, the federal government has invested more than \$1.8 billion in breast cancer research since 2010 leading to the discovery of life-extending drugs; and

Whereas, there is no cure for breast cancer;

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

That October 2016 is hereby declared to be “Breast Cancer Awareness Month” in the City of Minneapolis and that October 13, 2016, is hereby declared to be “Metastatic Breast Cancer Awareness Day” in the City of Minneapolis.

Be It Further Resolved that the City requests to light the I-35W Memorial Bridge and the Lowry Avenue Bridge on October 3 in the color pink, to show support for the American Cancer Society and others who help to fight this disease, and the bridges on October 13 in the colors teal, green, and pink in honor of this declaration.

Resolution 2016R-402 recognizing the athletic accomplishments of T’Nia Riley, the fastest girl in Minneapolis was adopted.

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

**RESOLUTION 2016R-402**

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

**Honoring T’Nia Riley, the Fastest Girl in Minneapolis.**

Whereas, T’Nia Riley is a proud Minneapolis North Community High School student athlete who played an integral part in the success of the 2016 Polar Track Team; and

Whereas, As a sophomore coached by Head Coach Charles Walker and Assistant Coaches Cecilia Clements, Beulah Verdell, Steve Ellis, and Edvonte Copeland, T’Nia is the 2016 Minnesota State Class A Champion in the 100 and 200 meter dash; and

Whereas, T’Nia set the Class A record in the 100 meter dash during the preliminaries with a blistering time of 11.95 seconds, breaking a 20-year-old Class A record; and

Whereas, T’Nia, ranked 9th in the nation in the 200 meter dash, lead the pack in the 200 meter dash finals with a time of 25.06 seconds, leading the top 3 finishers, who were all from Minneapolis; and

Whereas, T’Nia’s success continues the academic and athletic rebirth of North High School;

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

That the City Council, on behalf of the people of Minneapolis, hereby honors the outstanding athletic achievements of T’Nia Riley.

**ADJOURNMENT**

On motion by Glidden, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the following litigation matters:

1. *Vicki Jung v. City of Minneapolis*;
2. Workers' compensation claim of Vicki Jung; and
3. Land sale default for the property located at 1522 Hillside Avenue North.

**ADJOURNED SESSION**

Council President Johnson called the adjourned session to order at 10:21 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 following litigation matters:

1. *Vicki Jung v. City of Minneapolis*;
2. Workers' compensation claim of Vicki Jung; and
3. Land sale default for the property located at 1522 Hillside Avenue North.

At 10:24 a.m., on motion by B. Johnson, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(d) to discuss the litigation matters of *Vicki Jung v. City of Minneapolis*; the Workers' compensation claim of Vicki Jung; and the land sale default for the property located at 1522 Hillside Ave N.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey (In at 10:34 a.m.), Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Lisa Bender (In at 10:26 a.m.), John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent - Council Member Alondra Cano

Also Present - Susan Segal, City Attorney, Tim Skarda, Litigation Manager, Assistant City Attorneys Greg Sauter, Tom Miller, and Sarah McLaren, City Attorney’s Office; John Fruetel, Fire Chief; and Jackie Hanson, City Clerk’s Office.

Sauter summarized the *Vicki Jung v. City of Minneapolis* lawsuit from 10:25 a.m. to 10:33 a.m.

Miller summarized the workers' compensation claim of Vicki Jung from 10:33 a.m. to 10:45 a.m.

McLaren summarized the land sale default for the property located at 1522 Hillside Avenue North from 10:45 a.m. to 10:57 a.m.

At 10:57 a.m., on motion by Glidden, the meeting was opened.

Glidden moved that all claims against the City of Minneapolis, including claims for attorneys' fees and costs, asserted in *Vicki Jung v. City of Minneapolis*, United States District Court File No. 14-cv-3141 DWF-

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KMM be settled in the amount of \$97,500, payable to Vicki Jung and her attorneys, from Fund/Org. 6900 1500100 145280; and authorized the City Attorney's Office to execute any documents necessary to effectuate this settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Cano (1)

The motion was adopted.

Glidden moved that all workers' compensation claims against the City of Minneapolis asserted in *Vicki J. Jung v. City of Minneapolis Fire Department*, Department of Labor and Industry Office of Administrative Hearings (WID No. 4923660), be settled in the amount of \$135,000, payable to Vicki Jung and her attorneys Meuser and Associates from Fund/Org. 6900 1500100 145280; and authorized the City Attorney's Office to execute any documents necessary to effectuate this settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Cano (1)

The motion was adopted.

Glidden moved that the City Attorney's Office be authorized to initiate a lawsuit against Detroit Renovations, LLC, and any other necessary, related, or responsible parties, to enforce the City's legal and equitable rights or remedies for any damages to the City arising from or relating to 1522 Hillside Avenue North and/or the Contract for Sale of City Development Property between the City and Detroit Renovations, LLC entered into as of April 18, 2013.

On roll call, the result was:

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

Noes: (0)

Absent: Cano (1)

The motion was adopted.

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