



**Request for City Council Committee Action  
From the Department of Planning**

Date: 11/20/02  
To Intergovernmental Relations Committee

**Subject RE: Indemnification agreement between MAC and City of Minneapolis  
regarding Joint Airport Zoning Board**

**Recommendation:**

Staff recommends approval of the indemnification agreement

Prepared or Submitted by: Merland Otto, City Planner, Airport Development

Presenters in Committee : Merland Otto, City Planner

**Financial Impact** (Check those that apply)

No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)

- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain):

Request provided to the Budget Office when provided to the Committee Coordinator

**Community Impact** (use any categories that apply)

Neighborhood Notification

City Goals : Participation on the Joint Zoning Board is consistent with stated City goals  
of supporting development of Runway 17-35 and protection of navigable  
airspace

**Background/Supporting Information Attached:**  
Indemnification Agreement

The City of Minneapolis participated in the development of the current Wold-Chamberlain Field (MSP) Joint Airport Zoning Ordinance which was adopted in 1984.

The Wold-Chamberlain Field (MSP) Joint Airport Zoning Board was re-convened on Sept. 13, 2001 to amend the current ordinance. The Joint Zoning Board is comprised of representatives from Bloomington, Eagan, Mendota, Mendota Heights, Minneapolis, Richfield, St. Paul, Hennepin County, and MAC. As you are aware, the issue of liability and indemnification of individuals serving as representatives and the corporate entities participating on the joint airport zoning board was raised a few months ago.. In the normal course of business, the City routinely indemnifies and defends both employees and elected officials from legal action brought against them for actions performed as part of their duties.

In order to address the concerns expressed by various corporate members, MAC counsel met with community counsels to forge an indemnification agreement whereby MAC is largely responsible for costs of defending and/or any costs arising from a judgement against the Joint Zoning Board or members thereof. Assistant City Attorney Corey Conover has reviewed the agreement and also recommends that it be approved.