

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF DECEMBER 16, 2011

(Published December 24, 2011, in *Finance and Commerce*)

Council Chamber
Room 317 City Hall
350 South 5th Street
Minneapolis, Minnesota
December 16, 2011 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Hofstede, Schiff, Lilligren, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, President Johnson.
Absent - Council Member Colvin Roy.
Lilligren moved adoption of the agenda. Seconded.
Adopted upon a voice vote 12/16/2011.
Absent - Colvin Roy.
Hofstede moved to reconsider the vote on adoption of the agenda. Seconded.
Adopted upon a voice vote.
Absent - Colvin Roy.
Hofstede moved to amend the agenda to include under "Motions" a staff direction relating to Asian Carp. Seconded.
Adopted upon a voice vote.
Absent - Colvin Roy.
The agenda, as amended, was adopted upon a voice vote 12/16/2011.
Absent - Colvin Roy.
Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.
Adopted upon a voice vote 12/16/2011.
Absent - Colvin Roy.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

INTERGOVERNMENTAL RELATIONS (275383)
Written Federal/State/Local Update.
MAYOR (275384)
Vikings Stadium Proposal presentation.

COMMITTEE OF THE WHOLE (See Rep):

ATTORNEY (275385)
Transfer of NRP Administration Proposed Agreement.

NEIGHBORHOOD AND COMMUNITY RELATIONS (275386)

NRP Ordinance & Governance Revisions:

Ordinance incorporating a third phase of the program and other revisions NRP Policy Board resolution.

Amended and restated Neighborhood and Community Engagement Commission resolution.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275387)

Land Sales:

1819 Girard Ave N (to PRG, Inc);

1411 Sheridan Ave N (to City of Lakes Community Land Trust).

Metropolitan Council's Livable Communities Local Housing Incentive Account Grant Funds: Authorize Acknowledgement of Receptivity to an LCA Funding award form.

MacPhail Center for Music 2011 Annual Report & Governmental Program.

Plaza Verde Development: Authorize restructure of loans with NDC REDI, LLC.

Heritage Park Redevelopment Project: Authorize foreclosure proceedings for properties owned by Heritage Housing, LLC.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275388)

2011 Housing Revenue Entitlement Bond Carryforward.

Minnesota Department of Employment & Economic Development Redevelopment Grant applications.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET (See Rep):

CIVIL RIGHTS (275389)

One Minneapolis: A Call to Action Conference: Accept monetary, property, goods or services donations from sponsors; and Approve appropriation.

FIRE DEPARTMENT (275390)

Urban Search and Rescue Training: Authorize Fire Department to accept reimbursement of \$2,054.66 for training classes focusing on collapse rescue, including logistics and planning; and Passage of Resolution approving appropriation.

HEALTH AND FAMILY SUPPORT (275391)

Health Impact Assessment Project: Accept grant of \$124,804 and execute agreement with Pew Charitable Trusts to conduct an Assessment in conjunction with the Above the Falls Policy Review and Implementation to add public health considerations by compiling evidence-based recommendations and conducting broad community engagement; and Approve appropriation.

Healthy Homes and Lead Poisoning Prevention: Accept grant of \$75,000 and execute agreement with State of Minnesota to prevent lead poisoning, asthma triggers and other housing related health issues for residents at highest risk; and Approve appropriation.

Statewide Health Improvement Program: Accept grant of \$1,047,374 and execute agreement with the State of Minnesota to provide funding to support health living efforts; and Approve appropriation.

HEALTH AND FAMILY SUPPORT (275392)

Nurse Family Partnership Grant: Execute contract with Minnesota Department of Health to accept \$34,108 for training, support and evaluation of Minnesota Visiting Nurse Agency staff for public health nursing home visiting services for at-risk families; and Approve appropriation.

Maternal and Child Health Home Visiting: Execute contract with Minnesota Department of Health to accept \$360,000 for home visiting services for women and young children; and Approve appropriation.

POLICE DEPARTMENT (275393)

Detox Van Services: Amend contract with Hennepin County to provide detox services in calendar year 2012 LiveScan Fingerprint System: Rescind Council Action passed October 21, 2011 relating

to contract extension for maintenance and support of the system in the Crime Lab; and Execute new agreement with MorphoTrak.

State Internet Crimes Against Children Program: Accept \$5,798 and execute contract with Minnesota Bureau of Criminal Apprehension to fund overtime expenses; and Approve appropriation.

PUBLIC WORKS AND ENGINEERING (275394)

Bid for Pumper Bodies: OP #7351, authorize purchase two additional apparatus (fire engines) from Rosenbauer/General Safety in calendar year 2011.

REGULATORY SERVICES (275395)

Pet Licensing: Ordinance amending pet licensing provisions to reduce the annual pet license fee; eliminate the sibling pet license discount; and create a discounted pet license for individuals on public assistance.

Animal Care Donations: Accept donations of dog and cat food and treats.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (275396)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (275397)

Liquor Licenses: Grant Licenses to Eat Street Social Club, 18 W 26th St; and The Melting Pot, 80 S 9th St.

Bobby & Steve's Auto World, 1221 Washington Av S: Approve License Settlement Conference recommendations relating to Off-Sale Beer License.

Main Street Market, 3653 Chicago Av: Approve License Settlement Conference recommendations relating to Grocery License.

REGULATORY SERVICES (275398)

Rental Dwelling Licenses at 3439 Aldrich Av N, 3746 Bryant Av N, 3543 Colfax Av N, 3547 Colfax Av N, 3623 Colfax Av N, 3638 Colfax Av N, 3301 Dupont Av N, 3343 Dupont Av N, 3300 Emerson Av N, 4351 Fremont Av N, 3455 Girard Av N, 3407 Irving Av N, 3534 Lyndale Av N, 3419 Morgan Av N, 3347 Newton Av N, and 3319 Thomas Av N: Revoke licenses held by RBE Properties - Ronald Folger; and stay eviction proceedings for a period of at least 90 days with staff direction to work with jurisdictions and partners to plan for the vacation of affected rental properties and relocation of affected rental properties and relocation of affected residents.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (275399)

Legal Settlements: Billy and Jeannette Sledge v. City of Minneapolis; and City of Minneapolis v. Minneapolis Police Relief Association and Minneapolis Firefighters' Relief Association.

Online Legal Research Services: Execute three-year contract, with option for two additional years, with Thomson Reuters.

COMMUNICATIONS (275400)

February 2012 Utility Billing Insert: City Tree Program.

HUMAN RESOURCES (275401)

Labor Agreement: Machinists Unit, I.A.M.A.W. District Lodge #77.

Labor Agreement: AFSCME 911 Unit, Local #9.

Labor Agreement: AFSCME General, Clerical, and Technical Unit.

Labor Agreement: Laborers, Local #363.

Labor Agreement: Minneapolis Foremen's Association.

Labor Agreement: Minneapolis City Supervisors Association.

HUMAN RESOURCES (275402)

New Appointed Position: Assistant Director, Water Treatment and Distribution.

New Appointed Position: Manager, Public Works Finance.

New Appointed Position: Manager, Administration and Personnel (Public Works).

INTERGOVERNMENTAL RELATIONS (275403)

Minneapolis Legislative Annual Holiday Party: Donation from Minneapolis Downtown Council of usage of the skyway and related support.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (275404)

Vacation:

Brian Pastarr (1815 Chestnut Ave W)

Zoning Code Text Amendment - Eliminating CUP requirement for multiple-family residential uses Title 20, Chapters 530, 546, 547, and 548.

FILED:

TWIN CITIES HABITAT FOR HUMANITY, INC (275405)

Vacate the south end of alley between Irving and Girard Ave N and 22nd and 23rd Ave N.

The following reports were signed by Mayor Rybak on December 21, 2011, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee, having under consideration the recommendation of staff to authorize the proper City officials to enter into an agreement between the City of Minneapolis and the Neighborhood Revitalization Program Policy Board for the transfer of the administration of the Neighborhood Revitalization Program, now recommends approval of that authorization with said agreement to be substantially similar in form to the proposed agreement presented by staff and found on file in the Office of the City Clerk in Petn No. 275385.

Lilligren moved to amend the petition to strike the existing language comprising Article III in the proposed agreement and inserting in lieu thereof the following:

"ARTICLE III. NRP STAFF TRANSITION

Section 3.1. Subject to the Board adopting an amended severance policy and plan for staff employees, in accordance with the terms of this Article, the City shall agree to the following NRP staff transition. The City will offer existing NRP staff whose positions are eliminated as a result of the termination of the JPA the opportunity to be hired by the City for temporary positions beginning January 3, 2012, and not to exceed sixty (60) days. This does not include the NRP Director, who is an appointed official. The City will use funds transferred to the City pursuant to Article V of this Agreement to fund the temporary positions.

Section 3.2. Subject to section 3.1, NRP staff, excluding the Director, beginning January 1, 2012 shall be entitled, pursuant to Minneapolis Code of Ordinances Section 20.900(b), to the following with respect to COBRA continuance of medical and dental insurance:

- (a) If an NRP staff member elects to continue medical insurance through COBRA, the City will use funds transferred to the City under Article V of this Agreement to pay one hundred (100) percent of the premium for medical insurance for the first six (6) months of COBRA continuance at the level of coverage, single or family, in effect on the December 31, 2011, and for the medical plan in effect on that date.

- (b) If an NRP staff member elects to continue dental insurance through COBRA, the City will use funds transferred to the City under Article V of this Agreement to pay one hundred (100) percent of the premium for dental insurance for the first six (6) months of COBRA continuance at the level of coverage, single or family in effect on December 31, 2011, and the for the dental plan in effect on the date of the layoff.

Section 3.3. Subject to section 3.1, NRP staff, excluding the Director, for sixty days beginning January 3, 2012, shall have access to City career assessment services and training through its Human Resources department.

Section 3.4. Subject to the Board adopting a severance policy and plan for the NRP Director in accordance with this section, the NRP Director shall be entitled, pursuant to Minneapolis Code of Ordinances Section 20.455, to a lump sum payment equal to fifty (50) percent of the NRP Director's annual salary and conditioned upon the NRP Director's agreement to release the Board, the City and other participating jurisdiction on the Board, from any and all causes of action or claims the NRP Director may have against the Board, the City and the other participating jurisdictions on the Board. The City will use funds transferred to the City under Article V of this Agreement to fund the lump sum payment." Seconded.

Adopted by unanimous consent.

Absent - Colvin Roy.

The report, as amended, was adopted 12/16/2011.

Absent - Colvin Roy.

Lilligren moved to find under Council Rule 4 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from December 15, 2011, regarding NRP Ordinance and Governance Revisions at this meeting. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

Comm of the Whole - Your Committee, having under consideration a revised Neighborhood Revitalization Program ordinance, now recommends passage of the accompanying ordinance.

Adopted 12/16/2011.

Absent - Colvin Roy.

Ordinance 2011-Or-121 amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to *Planning and Development: Neighborhood Revitalization Program*, amending Sections 419.10, 419.20, 419.30, 419.40, 419.55, 419.60, 419.70, and 419.80; and adding a new Section 419.56, incorporating a third phase of the program and other revisions, was adopted 12/16/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2011-Or-121

By Lilligren

Intro & 1st Reading: 11/4/2011

Ref to: Comm of the Whole

2nd Reading: 12/16/2011

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

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

Section 1. That Section 419.10 of the above-entitled ordinance be amended to read as follows:

419.10. Purpose. The purpose of this chapter is to establish codify the requirements, as revised from time to time, of a neighborhood revitalization program originally established pursuant to Minnesota Statutes, Section 469.1831, as amended, and extended pursuant to Laws 2008, Chapter 366, Article 5, Section 37.

Section 2. That Section 419.20 of the above-entitled ordinance be amended to read as follows:

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

Agency means the Minneapolis Community Development Agency, its successors or assigns.

Chapter 366 means Laws 2008, Chapter 366, Article 5, Section 37, which is the special law authorizing the city to create a special tax increment financing district to fund target center debt and neighborhood revitalization purposes.

Chapter 604 means Laws 1990, Chapter 604, Article VII, Section 29, as amended by Laws 1991, Chapter 291, Article X, Section 20, which is the special law requiring the city and the agency to reserve ten million dollars (\$10,000,000.00) in 1990 and twenty million dollars (\$20,000,000.00) from 1991 to 2009, for a total of three hundred ninety million dollars (\$390,000,000.00), to be expended for neighborhood revitalization anywhere within the city.

City means the City of Minneapolis.

City council means the City Council of the City of Minneapolis.

City neighborhood revitalization program funds mean:

- (a1) The program money;
 - (b2) The funds required to be expended for neighborhood revitalization under Chapter 604;
- and
- (e3) Other tax increment and non tax increment revenues from the ~~agency's~~ common project necessary to fulfill a twenty million dollar (\$20,000,000.00) annual commitment to the neighborhood revitalization program. The twenty million dollar (\$20,000,000.00) annual commitment shall not include, and shall be in addition to, the amounts required to be transferred to the school district for school aid reduction and to the county for property tax relief pursuant to subdivision 4 of the neighborhood revitalization program law.

Common project means the projects and districts included in that certain common development and redevelopment plan and common tax increment financing plan adopted by the agency on December 30, 1989, as amended from time to time. Pursuant to authority in Laws 2003, Chapter 127, Article 12, Sections 31-34, the agency transferred the common project to the city effective January 1, 2004.

Community participation program or CPP means the program described in section 419.56 and guidelines adopted by the city council on December 10, 2010, as amended from time to time.

Community participation program funds means, for 2012 and 2013, ten million dollars (\$10,000,000.00) in non-tax increment Phase II funds and thereafter, tax increment generated by the consolidated district.

Consolidated district means the tax increment financing district authorized by Chapter 366 and established by the city council pursuant to Resolution 2009R-595 adopted on December 18, 2009, as amended from time to time.

County means Hennepin County, Minnesota.

Discretionary development funding plan means that certain resolution adopted by the city council on August 22, 2003, providing funding for discretionary development activities from 2004 through 2009.

Joint powers agreement means that certain twenty-year agreement among the city, school district, library board, park board, and county establishing a hybrid joint powers entity to serve as the policy board for the neighborhood revitalization program.

Library board means the Library Board of the City of Minneapolis, which was dissolved and consolidated into the county library system pursuant to Laws 2007, Chapter 121.

Mayor means the Mayor of the City of Minneapolis.

Neighborhood action plan means the plan developed with the participation of neighborhood residents under Subdivision 6 of the neighborhood revitalization program law. A neighborhood priority plan under the community participation program is a neighborhood action plan.

Neighborhood and community relations department means the city department responsible for community engagement and neighborhood programs.

Neighborhood revitalization program or NRP means the program established by the city under the neighborhood revitalization program law, Chapter 604 and this chapter, and extended under Chapter 366 and this chapter, as amended from time to time.

Neighborhood revitalization program law means Minnesota Statutes, Section 469.1831, as amended, which authorizes the city to create the neighborhood revitalization program.

Park board means the Park and Recreation Board of the City of Minneapolis.

Phase I means the first phase of the neighborhood revitalization program (1990-2000), funded by the Phase I funds.

Phase I funds means the city neighborhood revitalization program funds reserved from 1990 through 2000.

Phase II means the second phase of the neighborhood revitalization program (2001-2009), funded by the Phase II funds.

Phase II funds means twenty million dollars (\$20,000,000.00) in 2001, eleven million dollars (\$11,000,000.00) in 2002 and, for 2003 through 2009, the funds required to be reserved for neighborhood revitalization under chapter 604, subject to the priorities stated in section 419.35. Phase II funds includes the amount allocated to the community participation program under section 419.40(c).

Policy board means the board established to review, modify where appropriate, and approve neighborhood action plans, pursuant to subdivision 6 of the neighborhood revitalization program law.

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

- (1) NRP funded loan and grant repayments and collections (exclusive of contractually defined administrative costs), including principal, interest, late fees and penalty payments.
- (2) Proceeds from the sale or lease of real property purchased with NRP funds that require the repayment or recapture of all or a portion of the NRP funds.

- (3) Proceeds from the sale or rental of equipment or other personal property purchased with NRP funds and held by a neighborhood group for its offices or administrative purposes.
- (4) Proceeds from the sale of loans and other repayment obligations made with NRP contract funds.
- (5) Interest earnings on NRP contract funds, including program income, held in NRP contractor or subcontractor accounts.

Program money means the tax increment revenues required to be expended for neighborhood revitalization pursuant to Minnesota Statutes, Section 469.1781(b).

School district means Special School District No. 1.

Sources of securityies and repayment shall have the meaning set forth in the discretionary development funding plan.

Strategies means the specific actions identified in each neighborhood action plan as necessary to achieve the action plan objectives.

Tax Increment Act means Minnesota Statutes, Sections 469.174-469.1799, as amended, which establishes the powers relating to use of tax increment.

(b) The neighborhood revitalization program shall be administered pursuant to the neighborhood revitalization program law, Chapter 604, Chapter 366 ~~of and this chapter, as amended from time to time.~~

Section 3. That Section 419.30 of the above-entitled ordinance be amended to read as follows:

419.30. Neighborhood revitalization program. (a) In furtherance of the goals stated herein and pursuant to the neighborhood revitalization program law, ~~and Chapter 604 and Chapter 366~~, the city hereby creates a neighborhood revitalization program to preserve and enhance the private and public infrastructure, public health and safety, economic vitality, the sense of community, and social benefits within Minneapolis neighborhoods. The goals of the first phase of the neighborhood revitalization program (1990-2000) are to:

- (1) Establish a cooperative and coordinated service planning, funding and delivery process involving neighborhood residents, public agencies and private interests.
- (2) Develop a joint planning effort that results in a multiyear plan complementing the programming of all parties.
- (3) Provide a framework which encourages and enables the reallocation of existing resources to fund specific program priorities.
- (4) Reserve and dedicate resources from program money and the common project.
- (5) Preserve and dedicate a source of funding for multijurisdictional youth projects of high city priority.

(b) The goals of the second phase of the neighborhood revitalization program (2001-2009) are to:

- (1) Create a greater sense of community so that the people who live, work, learn and play in the City of Minneapolis have an increased sense of commitment to, and confidence in, their neighborhood and their city.

- (2) Sustain and enhance neighborhood capability in order to strengthen the civic involvement of all members of the community.
- (3) Ensure that neighborhood-based planning remains the foundation of the program, is informed and leads to creative and innovative approaches.
- (4) Strengthen the partnerships among neighborhoods and jurisdictions to identify and accomplish shared citywide goals.
- (5) Ensure that government agencies learn from and respond to neighborhood plans so that public services ultimately reflect neighborhood priorities.
- (6) Develop and support life cycle housing citywide through the preservation of existing housing and new construction by reaffirming our commitment to the state mandate that fifty-two and five tenths (52.5) percent of the Chapter 604 funds be spent on housing programs and related purposes.

(c) The post 2009 goals of the neighborhood revitalization program are consistent with the Phase II goals, but with special emphasis to:

- (1) Complete planning and implementation of Phase II neighborhood action plans in neighborhoods that have not done so, subject to the cap and reallocation in section 419.40(c).
- (2) Continue to engage neighborhoods that have expended all of their Phase II allocation.
- (3) Transition to a new community engagement model represented by the community participation program, which focuses on identifying and acting on neighborhood priorities, impacting city decisions, increasing involvement in the neighborhood decision-making process, and establishing stronger partnerships between City departments and neighborhood organizations.
- (4) Redesign public services to be more responsive to neighborhood priorities.

(d) To achieve the Chapter 604 requirement that at least fifty-two and one-half (52.5) percent of the funds reserved for neighborhood revitalization be expended on housing programs and related purposes, the ~~policy board~~ city shall take the following actions:

- (1) ~~Commission an independent~~ the city finance department to audit of compliance with the Chapter 604 requirement for neighborhood revitalization program funds under contract or expended through June 30, 2003 on an annual basis. ~~The audit shall allocate contracted and actual expenditures for housing programs and related purposes among the following cost categories:~~
 - a. ~~Creation of new rental housing units affordable to persons whose annual incomes do not exceed (i) thirty (30) percent of and (ii) fifty (50) percent of the median family income:~~
 - b. ~~Rehabilitation or preservation of existing rental housing units affordable to persons whose annual incomes do not exceed (i) thirty (30) percent of and (ii) fifty (50) percent of the median family income:~~
 - c. ~~Provision of affordable ownership housing opportunities, including first-time homebuyers' mortgages (with income qualifications):~~
 - d. ~~Rehabilitation of existing housing units through housing loan and grant programs with income qualifications:~~
 - e. ~~Rehabilitation of existing housing units through housing loan and grant programs without income qualifications:~~

- f. ~~Administrative costs associated with the operation of housing projects, programs, services and activities.~~

~~The policy board shall complete the audit by October 15, 2003.~~

- (2) ~~Develop~~ If an audit identifies a deficiency, ask the policy board to develop a plan to make up any the deficiency identified by the audit using existing Phase I fund balances and/or Phase II funds. The plan shall include a timeframe and measurable outcomes that are consistent with city housing plans and policies as well as neighborhood action plans. The policy board shall submit the plan to the city council for ~~consideration consistent with section 419.70 by October 22, 2003 and each October to the end of the program~~ approval.
- (3) ~~Prepare and transmit by July 1 of each year to the governmental bodies represented on the policy board an annual recommended budget and five-year plan for use of the Phase II funds and any other funds made available to the policy board consistent with city goals, plans and policies, approved neighborhood action plans and applicable laws, ordinances and resolutions. The policy board submission will constitute its recommendations to the mayor and other appropriate parties for consideration in the budget deliberations for the upcoming year.~~

Section 4. That Section 419.40 of the above-entitled ordinance be amended to read as follows:

419.40. Commitment of city neighborhood revitalization program funds. (a) *Phase I.* In furtherance of the goals stated in section 419.30 (a), the city hereby commits to provide the Phase I funds, commencing in 1990 through and including 2000, for phase I of the neighborhood revitalization program.

(b) *Phase II.* In furtherance of the goals stated in section 419.30(b), and subject to the priorities established by section 419.35, the city hereby commits to reserve the Phase II funds for Phase II neighborhood action plans, commencing in 2001 through and including 2009, to the extent that such funds are available pursuant to section 419.35. The difference, if any, between the total Phase II funds reserved in any fiscal year and the twenty million dollar (\$20,000,000.00) cap shall not be carried forward to any subsequent fiscal year.

(c) *Cap and reallocation.* Based upon an assessment of expenditures under Phase II neighborhood action plans, the city council temporarily capped each neighborhood's Phase II expenditures at the greater of (i) fifty (50) percent of the neighborhood's Phase II allocation and (ii) the amount contracted or expended by the neighborhood through December 13, 2010. In furtherance of the goals stated in section 419.30(c), the city hereby allocates ten million dollars (\$10,000,000.00) of the recaptured Phase II funds to the community participation program for use in accordance with section 419.56. The balance of the recaptured Phase II funds has been released by the city for reallocation to neighborhood organizations by the policy board.

Section 5. That Section 419.55 of the above-entitled ordinance be amended to read as follows:

419.55. Phase II neighborhood revitalization program process. The provisions of section 419.50 shall apply only to Phase I of the neighborhood revitalization program. The following provisions apply to Phase II of the neighborhood revitalization program.

(a) *Purposes; qualifying costs.* Neighborhood action plans may provide for expenditure of Phase II funds for the following purposes:

- (1) To eliminate blighting influences by acquiring and clearing or rehabilitating properties that the city finds have caused or will cause a decline in the value of properties in the area or

will increase the probability that properties in the area will be allowed to physically deteriorate.

- (2) To assist in the development of industrial properties that provide employment opportunities paying a livable income to the residents of the neighborhood and that will not adversely affect the overall character of the neighborhood.
- (3) To acquire, develop, construct, physically maintain, rehabilitate, renovate, or replace neighborhood commercial and retail facilities necessary to maintain neighborhood vitality.
- (4) To eliminate health hazards through the removal of hazardous waste and pollution and return of land to productive use, if the responsible party is unavailable or unable to pay for the cost.
- (5) To rehabilitate existing housing and encourage homeownership.
- (6) To construct new housing, where appropriate.
- (7) To rehabilitate and construct new low-income, affordable rental housing.
- (8) To remove vacant and boarded up houses.
- (9) To rehabilitate or construct community-based nonprofit and public facilities necessary to carry out the purpose of the neighborhood revitalization program.

(b) *Phase II funds; distribution and restrictions.*

- (1) Phase II funds may only be expended in accordance with the neighborhood revitalization program.
 - (i) For a purpose listed in section 419.55(a); or
 - (ii) As provided in Subdivision 4 of the neighborhood revitalization program law, including the promotion of neighborhood safety and stability through community crime prevention programs and activities such as neighborhood block and police patrols, block clubs and community outreach; or
 - (iii) To cover administrative costs attached to implementation of strategies contained in approved neighborhood action plans.
- (2) Phase II funds may not be used in those project areas of the city where the city determines that private investment will be sufficient to provide for development and redevelopment of the project area without public sector assistance, except in cases where Phase II funds are being used to remove or rehabilitate structurally substandard or obsolete buildings in a manner consistent with the neighborhoods' priorities as reflected in an approved neighborhood action plan.
- (3) Except as provided in the neighborhood revitalization program law, revenues derived from tax increments may only be expended for the purposes otherwise permitted by law.
- (4) A minimum of fifty-two and one-half (52.5) percent of the Phase II funds must be expended on housing programs and related purposes. Compliance with this provision shall be measured annually. The Phase II target for housing programs and related purposes shall be adjusted to accommodate for any shortfall in expenditures in Phase I such that the total

expended in Phase I and Phase II for housing programs and related purposes shall be no less than fifty-two and one-half (52.5) percent.

(5) ~~If a strategy in an approved neighborhood action plan has not expended fifty (50) percent of the allocated dollars in three (3) years, the neighborhood must verify that the strategy remains appropriate or the strategy must be changed or the dollars will be reallocated to the NRP program.~~

(65) ~~No more than twenty (20) percent of the program dollars expended for all NRP expenditures (on an annual basis) may be used for central administrative costs., both in central administration and at neighborhood level.~~

(c) *General principles.* Phase II of the neighborhood revitalization program must be developed based on the following general principles:

- (1) The social needs of neighborhood residents, particularly lower income residents, must be addressed to provide a safe and healthy environment for neighborhood residents, provide for the self-sufficiency of families, and increase the economic and social stability of neighborhoods.
- (2) The children residing in the neighborhoods must be given the opportunity for a quality education and the needs of each neighborhood must be addressed individually wherever possible.
- (3) The physical structure of the neighborhoods must be enhanced by providing safe and suitable housing and infrastructure to increase the desirability of neighborhoods as places to live.

(d) *Required program elements.* Phase II of the neighborhood revitalization program must include the following:

- (1) The identification of the neighborhoods that require assistance through the program.
- (2) A strategy of the citizen participation required under this chapter.
- (3) The neighborhood action plans required under this chapter.
- (4) The activities of participating organizations undertaken to address the general principles.
- (5) An evaluation of the success of the neighborhood action plans.

(e) *Neighborhood action plans.* Phase II of the neighborhood revitalization program must include the preparation and implementation of neighborhood action plans. The city must organize neighborhoods to prepare and implement the neighborhood action plans. The neighborhoods must include the participation of, whenever possible, all populations and interests in each neighborhood including renters, homeowners, people of color, business owners, representatives of neighborhood institutions, youth, and the elderly. Each neighborhood action plan must be submitted to the policy board established under this chapter and the neighborhood revitalization program law. The city will provide available resources, information, and technical assistance to prepare the neighborhood action plans.

(f) *Approval.* The policy board shall review, modify where appropriate, and approve, in whole or in part, the neighborhood action plans and forward its recommendations for final action to the governing bodies represented on the policy board. The city council shall review, modify where appropriate, and give final approval, in whole or in part, to those actions over which it has programmatic jurisdiction.

Section 6. That Chapter 419 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 419.56 to read as follows:

419.56. Community participation program process. Commencing in July 2012, the community participation program will be implemented in accordance with this section 419.56. In recognition of the fact that some of the community participation program funds are Phase II funds, the guidelines for expenditure of the community participation program funds will be revised consistent with the neighborhood revitalization program law. But in order to facilitate the transition to a new community engagement model, the following process will be used rather than the ones set forth in sections 419.50 and 419.55.

- (1) Purposes; qualifying costs. The purposes, principles and required elements of the neighborhood revitalization program law will apply to the community participation program. Community participation program funds may be expended for participation strategies in approved CPP submissions, including neighborhood events the purpose of which is directly related to engaging residents in community participation activities, and for neighborhood revitalization purposes under approved neighborhood action plans and neighborhood priority plans, including related administrative costs.
- (2) Distribution and restrictions. Distribution requirements and restrictions in the neighborhood revitalization program law, including the expenditure requirement for housing programs and related purposes, apply only to the Phase II funds portion of the community participation program funds.
- (3) Citizen participation. Neighborhood organizations will prepare CPP submissions that identify how the organizations will engage community stakeholders to develop the neighborhood priority plans. The city council hereby delegates authority to the director of the neighborhood and community relations department to approve CPP submissions consistent with budgets and guidelines approved by the city council.
- (4) Neighborhood plans. Upon approval of their CPP submissions, neighborhood organizations will develop one (1) or more action plans called neighborhood priority plans. The plans will identify neighborhood priorities and the partners and resources to address those priorities, inform participating jurisdiction decisions and respond to emerging issues. Neighborhood organizations may collaborate on plans and participate in more than one (1) plan.
- (5) Approvals. The policy board will review, modify where appropriate, and give final approval, in whole or in part, to the neighborhood priority plans as provided in the neighborhood revitalization program law. The city council will review, modify where appropriate, and give final approval, in whole or in part, to those actions over which it has programmatic jurisdiction, including the appropriation of community participation program funds and the authorization of city contracts. If applicable, the plans will be forwarded to the governing bodies of the other participating jurisdictions.
- (6) Implementation. Neighborhood priority plans may be implemented not only through direct community participation program funding, but also through formal or informal agreements between neighborhood organizations and participating jurisdictions. Participating jurisdictions are expected to connect actions identified in neighborhood plans to their budgets, programs and activities.
- (7) Evaluation. The neighborhood and community relations department will report annually to the city council on neighborhood priorities and outcomes.

(8) Administration. Beginning in January 2012, the neighborhood and community relations department will provide administrative support to Phase I, Phase II and the CPP. The director of the neighborhood and community relations department will have such duties and authority as may be delegated to the director position from time to time by the city council.

Section 7. That Section 419.60 of the above-entitled ordinance be amended to read as follows:

419.60. Policy board. The joint powers agreement that established a policy board for Phase I and Phase II expires on December 31, 2011. Pursuant to subdivision 6 of the neighborhood revitalization program law, the city council, by resolution, shall re-establish the a policy board consisting of membership from the city council, the Hennepin County Board, the board of Special School District No. 1, ~~the library board,~~ the Parks and Recreation board, the mayor or the mayor's designee, a representative from the Minnesota House of Representatives delegation from Minneapolis, ~~and a representative from the Minnesota Senate delegation from Minneapolis,~~ and four (4) representatives of neighborhood organizations. The ~~elected officials on the~~ policy board may recommend appointment to the policy board of such additional representatives of Minneapolis labor, business, neighborhood, community, city-wide and social service organizations as they deem appropriate.

Section 8. That Section 419.70 of the above-entitled ordinance be amended to read as follows:

419.70. Program recommendations. (a) The mayor and the city council will use the following criteria in considering neighborhood action or priority plan strategies for use of Phase I, ~~funds~~ and Phase II and CPP funds:

- (1) Demonstrated public purpose of the strategies.
- (2) Demonstrated need for the strategies.
- (3) Short-term or long-term needs of the neighborhood.
- (4) Benefiting population.
- (5) Ability of the strategies to provide a return on the investment.
- (6) Coordination with programming elements or providers.
- (7) Availability of operating or maintenance funds.
- (8) Lack of alternative sources of revenue.
- (9) One-time or ongoing capital requirement.
- (10) Multijurisdictional benefits of the strategies.
- (11) Neighborhood revitalization benefits of the strategies.
- (12) Demonstrated ability of the neighborhood revitalization program as a whole to meet the fifty-two and one-half (52.5) percent funding requirement for housing programs and related purposes.

- (13) The extent to which the strategies leverage existing city programs and funds to accomplish city housing and development objectives in the neighborhoods that carry out the purposes of the neighborhood revitalization program.

(b) Concurrent with approval of each neighborhood action plan, CPP submission or neighborhood priority plan, the city council will reserve Phase I ~~or~~ Phase II or CPP funds, as appropriate, for appropriation and expenditure consistent with such ~~action~~ submission or plan.

(c) Because of the acknowledged substantial unmet need and severe lack of resources available for disadvantaged youth in the City of Minneapolis, beginning in 1990 and continuing through 2003, the city council, at the request of the policy board, shall appropriate two hundred thousand dollars (\$200,000.00) of the city neighborhood revitalization program funds each year to the multi-jurisdictional youth coordinating board from non-tax increment sources.

(d) With respect to Phase I only, the amounts made available during the first phase of the neighborhood revitalization program to Special School District No. 1 and to Hennepin County for education programs and services and for social services, respectively, must be expended as part of an approved neighborhood action plan, as required by subdivision 4 of the neighborhood revitalization program law. The boards of Special School District No. 1 and Hennepin County shall each approve appropriations from the funds available to them from the neighborhood revitalization program and shall forward proposed strategies to the policy board for approval.

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

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

(g) NRP contractors and subcontractors shall report annually in form and detail acceptable to the city finance department and NRP on their annual program income activity and balances. City staff shall prepare an annual program income report for review by the mayor and city council that includes the above information.

Section 9. That Section 419.80 of the above-entitled ordinance be amended to read as follows:

419.80. Conflict of interest. (a) *Statement of purpose.* It is the policy of the city that all persons, neighborhood or nonprofit organizations or groups, or businesses seeking to contract with the City of Minneapolis ~~or the Minneapolis Community Development Agency~~ for city neighborhood revitalization program funds be treated equally. No person who participates individually, on behalf of a neighborhood nonprofit organization or group or on behalf of a business in the activities described in section 419.50 through 419.56, or family member(s) of such person(s), who subsequently seeks to receive city neighborhood revitalization program funds, whether by means of a contract, grant, loan or similar agreement with the City of Minneapolis ~~or the Minneapolis Community Development Agency~~ should personally benefit to a greater extent than other eligible persons, groups or businesses because of such participation. Such a result is declared to be a conflict of interest. Persons subject to this ordinance shall include, without limit, board members, officers or employees of neighborhood or nonprofit groups or organizations, or businesses which receive city neighborhood revitalization program funds in any form, and persons seeking such funds directly or indirectly, who also participated in the activities described in section 419.50 through 419.56.

(b) *Conflict of interest prohibited.* Persons or organizations defined in (a) above (the applicant) as having a conflict of interest are prohibited from receiving ~~program~~ city neighborhood revitalization program funds unless all the following conditions are met:

- (1) The applicant for city neighborhood revitalization program funds fully discloses the existence of an actual or potential conflict of interest in the required application for city neighborhood revitalization program funds.
- (2) The applicant for city neighborhood revitalization program funds meets all applicable eligibility requirements established by the City of Minneapolis, ~~the Minneapolis Community Development Agency~~ and the neighborhood revitalization program for the particular program.
- (3) The application is reviewed and acted upon in accordance with the guidelines and/or review criteria of the program under which the application is made and which are applicable to all other applicants.
- (4) The applicant does not participate in any manner in the review of his or her own application.
- (5) The person or organization responsible for the disbursement of city neighborhood revitalization program funds certifies that the applicant meets the disclosure requirements of this section and is eligible to receive city neighborhood revitalization program funds.

(c) *Sanctions.* Any violation of this ordinance shall be considered a breach of any contract providing for disbursement of city neighborhood revitalization program funds, whether between the City of Minneapolis ~~or the Minneapolis Community Development Agency~~, and the contracting party, or the contracting party and any other recipient(s) of city neighborhood revitalization program funds. All contracts concerning the disbursement of city neighborhood revitalization program funds shall include a provision which, at the option of the City of Minneapolis ~~or the Minneapolis Community Development Agency~~, provides for cancellation of such contract, repayment of all city neighborhood revitalization program funds previously disbursed, reasonable attorneys' fees and costs for collection of such disbursed city neighborhood revitalization program funds, and debarment from future participation in neighborhood revitalization program activities as remedies for conflict of interest violations.

(d) *Grievances.* Any organization or person aggrieved by a decision as to the existence or nonexistence of a conflict of interest may file a grievance as provided ~~in the bylaws of~~ for by the policy board and city council.

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm of the Whole - Your Committee, having under consideration a resolution for reestablishing a new NRP Policy Board, now recommends passage of the accompanying resolution.

Schiff moved to amend the resolution by changing the final bullet point of the "Be It Resolved" clause to read as follows:

- "Four elected neighborhood representatives from the Neighborhood Community Engagement Commission (NCEC)"

and to amend the second to last "Be it further resolved" clause by adding the word "elected" prior to "members of the NCEC for an interim term ending in June 2012". Seconded.

Samuels moved to call the question on Schiff's motion. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy.

Schiff's motion lost. Yeas, 4; Nays, 8 as follows:

Yeas - Hofstede, Schiff, Tuthill, Gordon.

Nays - Lilligren, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Johnson.

Absent - Colvin Roy.

The report, as amended, was adopted 12/16/2011. Yeas, 10; Nays, 2 as follows:

Yeas - Hofstede, Lilligren, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Johnson.

Nays - Schiff, Gordon.

Absent - Colvin Roy.

Resolution 2011R-667, reestablishing a neighborhood revitalization program policy board, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-667

By Lilligren

Reestablishing a neighborhood revitalization program policy board.

Whereas, the mayor and city council of the City of Minneapolis (City) adopted an ordinance in 1990 establishing a 20-year neighborhood revitalization program (NRP) pursuant to authorization in state law; and

Whereas, the City and four participating governmental jurisdictions executed a joint powers agreement in January 1992 establishing a joint powers entity to serve as the policy board for the program; and

Whereas, the joint powers agreement will expire on December 31, 2011; and

Whereas, it is necessary and desirable to reconstitute a multijurisdictional policy board for the program upon termination of the existing board; and

Whereas, it is not necessary, however, for the policy board to be a joint powers entity because the City's Neighborhood and Community Relations Department will assume responsibility for staffing and administration of the program; and

Whereas, this streamlining will avoid duplication and reduce administrative costs; and

Whereas, the Minneapolis Library Board is no longer in existence;

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

That the NRP Policy Board be reestablished effective January 1, 2012 with the following membership consistent with Minnesota Statutes, Section 469.1831, subd. 6 (2010):

- Mayor of the City of Minneapolis or designee
- President or other member of the Minneapolis City Council
- One elected official from each of the following entities:
 - Minneapolis Park and Recreation Board
 - Board of Education, Special School District No. 1
 - Board of Commissioners of Hennepin County
- A representative from Minneapolis' House of Representatives delegation
- A representative from Minneapolis' State Senate delegation
- Four neighborhood representatives

Be It Further Resolved that the NRP Policy Board will have the purposes and powers set forth in state law and city ordinance to review and recommend approval of neighborhood action plans and plan

modifications, facilitate governmental cooperation to implement plans and evaluate outcomes; and

Be It Further Resolved that the Mayor and President of the Minneapolis City Council will have continuous terms for so long as they hold such positions, that the terms of the other government officials will be determined by their appointing bodies, and that the neighborhood representatives will have one-year terms; and

Be It Further Resolved that the members of the NRP Policy Board will select the chair and any other officers of the NRP Policy Board; and

Be It Further Resolved that the NRP Policy Board shall meet quarterly or more frequently as needed; and

Be It Further Resolved that meetings of the NRP Policy Board will be subject to the requirements of the Minnesota Open Meeting Law; and

Be It Further Resolved that no sunset provision is established for the NRP Policy Board; and

Be It Further Resolved that the City's Neighborhood and Community Relations Department will convene, facilitate and staff the NRP Policy Board; and

Be It Further Resolved that the City Council requests that the governing boards of Hennepin County, the Minneapolis School District and the Minneapolis Park and Recreation Board adopt resolutions making their appointments to the NRP Policy Board; and

Be It Further Resolved that the City Council requests that the Minneapolis House and Senate delegations each appoint a representative to the NRP Policy Board; and

Be It Further Resolved that the City Council requests that the Neighborhood and Community Engagement Commission (NCEC) appoint four neighborhood representatives from the members of the NCEC for an interim term ending in June 2012, by which time the neighborhoods will have held NCEC elections and after which the NCEC may make annual appointments from the members of the NCEC to full one-year terms; and

Be It Further Resolved that the Director of the Neighborhood and Community Relations Department is directed to convene the first meeting of the NRP Policy Board in January 2012.

Adopted 12/16/2011. Yeas, 10; Nays, 2 as follows:

Yeas - Hofstede, Lilligren, Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Reich, Johnson.

Nays - Schiff, Gordon.

Absent - Colvin Roy.

Comm of the Whole - Your Committee, having under consideration a resolution for amending the Neighborhood and Community Engagement Commission resolution, now recommends passage of the accompanying resolution.

Adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-668, amending and restating Resolution 2008R-402 entitled *Establishing a Neighborhood and Community Engagement Commission*, passed September 26, 2008, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-668

By Lilligren

Amending and Restating Resolution 2008R-402 entitled *Establishing a Neighborhood and Community Engagement Commission*, passed September 26, 2008.

Whereas, in 2007 the City of Minneapolis adopted a set of core principals of community engagement; and

Whereas, the City of Minneapolis has more recently adopted goals and strategic directions that include Many People, One Minneapolis, which calls for embracing diversity and closing race and class gaps in employment and housing, and A City That Works, which calls for empowering residents as valued partners with City government; and

Whereas, Minneapolis neighborhood and cultural organizations are valued for their roles in enhancing the quality of life in the City; and

Whereas, under Resolution 2008R-402 the City Council established a Neighborhood and Community Engagement Commission (NCEC) with responsibilities to advise the Mayor, City Council, and City departments on community participation policies and processes to systematize community input into City processes; and

Whereas, the resolution also gave the NCEC responsibility for recommending the distribution of funding for a neighborhood funding program, which became known as the Community Participation Program; and

Whereas, since its creation in 1990, the Minneapolis Neighborhood Revitalization Program (NRP) has been an innovative program, bringing residents into the priority-setting process of the City; and

Whereas, the Community Participation Program is being revised to function as a third or transition phase of the Neighborhood Revitalization Program; and

Whereas, in 2012 a reorganized NRP Policy Board will be seated with the responsibilities for reviewing Phase I and Phase II Neighborhood Action Plans, and, due to requirements in Minnesota Statutes, Section 469.1831, will assume from the NCEC the responsibility for reviewing applications from neighborhood organizations for funding from the Community Participation Program; and

Whereas, local elections have seen decreasing voter turnout since 2001, especially among populations of color; and

Whereas, there has been an increased emphasis placed on courageous discussions about diversity among residents, which has been underscored by City Council action; and

Whereas, the population of the City as a whole is becoming progressively more diverse; and

Whereas, it is necessary and desirable to continue the work of the NCEC to promote community engagement in the City;

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

That the above-entitled be amended and restated to read as follows:

The Vision for the Neighborhood and Community Engagement Commission is a City and community engagement process that increases inclusiveness, empowerment and greater opportunities for participation by all community members of the City of Minneapolis.

In light of the previously stated Vision, the roles that the Commission will assume, going forward shall be:

- a) **Partner** In collaboration with NCR, study issues, courses of action, policies, and programs that affect the quality of life for City residents and make recommendations for improvements to City departments and the City Council as they pertain to community participation policies and delivery of services while integrating the voice of residents into the City's decision-making processes;
- b) **Appeals, Grievances and Designation** Consider appeals from neighborhood organizations regarding funding decisions involving the City funded programs administered by NCR, including the Community Participation Program (CPP) but excluding any NRP Plans. The Commission will hear grievances of actions taken by neighborhood organizations and recommend to the City Council any necessary corrective remedies. The Commission will designate the recognized neighborhood organizations in the city;
- c) **Create Policy** Establish community engagement policies for the City's neighborhood programs, excluding Phase I and Phase II of the Neighborhood Revitalization Program, which promote more representative neighborhood organizations;

- d) **Cultivate Relationships** Serve as liaisons between the City of Minneapolis and community and neighborhood organizations. In this role the commission shall make every effort to ensure that the concerns represented reflect the diverse viewpoints and interests of the residents of Minneapolis;
 - e) **Increase Participation** Advise the City Council on policy matters to build the capacity of under-represented groups in order to increase their participation in the civic governance of the City, expand the ability of neighborhood organizations to engage diverse neighbors, and assist in building partnerships with communities and groups that often do not participate in the formal neighborhood system, such as communities of color, new Americans and refugees as well as low income residents;
 - f) **Broaden Representation** Develop a five-year community engagement policy plan to increase the number and diversity of people involved in their communities and seated to City boards and Commissions. This participation contributes to and strengthens the vitality of community capacity and increases the impact of the community on public decisions;
 - g) **Give Voice** Promote broader engagement, increase inclusion, and identify/remove barriers of participation by fostering a sense of community and helping all residents address specific concerns via the NCR department and the Commission.
 - h) **Review** The Neighborhood and Community Relations Department business plan.
- 2. **Number of Members:** 16 voting members
 - 3. **Term Length:** 24 months (staggered)
 - 4. **Term Limit:** Three (3) two-year terms
 - 5. **Compensation:** None (re-imbusement for parking during meetings and childcare may be provided)
 - 6. **Public Hearings held for City of Minneapolis open appointments process:** Yes
 - 7. **Minneapolis Residency Requirement:** Yes; members shall be residents of the City of Minneapolis who do not hold a current election certificate.
 - 8. **Selection Procedure:**
 - a. 8 members selected through a process defined by the City's officially recognized neighborhood organizations.
 - b. 7 members appointed using the City's open appointments process and a public hearing
 - i. 5 members appointed by the City Council of the City of Minneapolis; and
 - ii. 2 members appointed by the Mayor of the City of Minneapolis;
 - iii. Recommendations shall be solicited for nominations from Hennepin County and the Minneapolis School Board
 - c. 1 member appointed by the Minneapolis Park and Recreation Board

- d. If other jurisdictions of state and local government choose not to participate in the program financially, they will be given, at their request, the opportunity to appoint a non-voting member of the Commission.
 - e. Appointments shall reflect the diverse interests and perspectives of the Minneapolis community. The recruitment process shall be designed to ensure diversity of representation and ideas and take into consideration the City's commitment to civil rights, affirmative action and geographic distribution wherever possible.
 - f. Membership shall be appointed annually as follows:
 - i. Odd years—1 Mayoral appointment, 2 City Council appointments, 1 Minneapolis Park and Recreation Board appointment, and 4 members selected by neighborhood organizations; and
 - ii. Even years—1 Mayoral appointment, 3 City Council appointments, and 4 members selected by neighborhood organizations.
9. **Selection of officers:** A Chair, Vice Chair and any other officers shall be selected annually by the 16 commission members.
10. **Meeting Schedule:** Monthly meeting; may meet more frequently as needed.
11. **Attendance Requirements:** Three (3) or more unexcused absences from regular meetings during a calendar year may result in termination of membership.
12. **Department:** Convened, facilitated and staffed by the Neighborhood and Community Relations Department.
13. **Reporting:** Periodic reports, at a minimum annually, shall be submitted to the City Council's Committee of the Whole.
14. **Sunset:** No sunset provision is established for this commission.
15. **Open Meetings:** Meetings of the Commission will be open to the public and televised, when possible, and subject to the requirements of the Minnesota Open Meeting Law.
Adopted 12/16/2011.
Absent - Colvin Roy.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1819 Girard Ave N to PRG, Inc. for \$1.00, plus reimbursement of City acquisition, holding and title costs, subject to the following conditions:

- a) Land sale closing must occur no later than April 15, 2012; and
- b) Payment of holding costs of \$300.00 per month (or portion thereof) from the date of City Council approval if land sale closing does not occur on or before the closing deadline.

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

Adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-669, authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No 2N-157 at 1819 Girard Ave N, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-669
By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No 2N-157 at 1819 Girard Avenue North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel 2N-157 in the Near - North Neighborhood, from PRG, Inc., hereinafter known as the Redeveloper, the Parcel 2N-157, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of 2N-157; 1819 Girard Avenue North: Lot 14, Block 1, Ball's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1.00 plus reimbursement of City acquisition, holding and title costs for Parcel 2N-157; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 2, 2011, a public hearing on the proposed sale was duly held on December 13, 2011, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of \$16,600 for Parcel 2N-157.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur no later than April 15, 2012 and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

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

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

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

shall be created until executed and delivered by the Finance Officer or other appropriate official of the City.

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1411 Sheridan Ave N to City of Lakes Community Land Trust for \$12,250, subject to the following conditions:

a) Land sale closing must occur no later than April 15, 2012; and

b) Payment of holding costs of \$300 per month (or portion thereof) from the date of City Council approval if land sale closing does not occur on or before the closing deadline.

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

Adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-670, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. VH-337 at 1411 Sheridan Ave N, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-670

By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No. VH-337 at 1411 Sheridan Avenue North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-337 in the Willard - Hay Neighborhood, from City of Lakes Community Land Trust, hereinafter known as the Redeveloper, the Parcel VH-337, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-337; 1411 Sheridan Avenue North: Lot 13, Block 1, W.H. Lauderdale's Addition to Minneapolis, Hennepin County, Minnesota; and

Whereas, the Redeveloper has offered to pay the sum of \$12,250, for Parcel VH-337; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 2, 2011, a public hearing on the proposed sale was duly held on December 13, 2011, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$24,500, for Parcel VH-337.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the

Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur no later than April 15, 2012 and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

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

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

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

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to sign an Acknowledgement of Receptivity to a Livable Communities Act Funding Award form in support of the award of Metropolitan Council Livable Communities Local Housing Incentive Account grant funds to certain projects located in the City of Minneapolis.

Adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-671, authorizing the proper City officials to sign an Acknowledgement of Receptivity to an LCA Funding Award form in support of the award of Metropolitan Council Livable Communities Local Housing Incentive Account grant funds to certain projects located in the City of Minneapolis, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-671

By Goodman

Authorizing the proper City officials to sign an Acknowledgement of Receptivity to an LCA Funding Award form in support of the award of Metropolitan Council Livable Communities Local Housing Incentive Account grant funds to certain projects located in the City of Minneapolis.

Whereas, the City of Minneapolis (the "City") was and is a participant in the Livable Communities Act's Housing Incentives Program as determined by the Metropolitan Council, and is therefore eligible to participate in the Local Housing Incentive Account grant program; and

Whereas, the Metropolitan Council has notified the City that the following projects applied for funds through the Minnesota Housing Common Application process: Currie Park Lofts Phase I, Homebuyer Initiated Program, and Spirit on Lake; and

Whereas, the City intends to accept and make available in a timely manner to these applicants any Livable Communities Act award to the City to assist the housing program or activity proposed in the applications submitted for the above-mentioned projects in June of 2011, subject to final staff

verification of each payment request's compliance with the Local Housing Incentive Account grant program's purposes and criteria; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with the Metropolitan Council for one or more of the above-reference projects and will comply with all applicable laws and regulations stated in such agreements;

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

That the City Council authorizes the appropriate City officials to sign an Acknowledgement of Receptivity to an LCA Funding Award in support of the award of Metropolitan Council Livable Communities Local Housing Incentive Account grant funds to certain projects located in the City of Minneapolis, and to execute such agreements as are necessary to implement the projects.

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm Dev - Your Committee, having under consideration the MacPhail Center for Music 2011 Annual Report and continued operation of the Governmental Program at the MacPhail Center for Music facility at 501 S 2nd St for fiscal year 2011-2012, now recommends approval of the budget and governmental program as set forth in the Department of Community Planning & Economic Development staff report, and passage of the accompanying resolution approving the same.

Adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-672, approving the governmental program and annual budget for the operation of the MacPhail Center for Music facility in Minneapolis for fiscal year 2011-2012, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-672

By Goodman

Approving the governmental program and annual budget for the operation of the MacPhail Center for Music facility in Minneapolis for fiscal year 2011-2012.

Whereas, Minnesota Laws 2006, Chapter 258, Article 1, Section 4, Subdivision 4, authorizes the City of Minneapolis to undertake the design, construction and operation of the MacPhail Center for Music facility; to establish the MacPhail Center for Music facility as a governmental program providing music education, music therapy, and music education programming in public and private schools and in partnership with other organizations; and to appropriate funds for such purposes; and

Whereas, in 2006 the City accepted a \$5,000,000 bond grant from the State of Minnesota to design, construct, furnish and equip the MacPhail Center for Music facility in the City of Minneapolis; and

Whereas, to satisfy conditions of the State bond grant, the City must own or ground lease the MacPhail Center for Music facility, and enter into a use/lease agreement with MacPhail Center for Music under which it will take on the responsibility for the operation of the musical institution and the governmental program at the facility; and

Whereas, on July 21, 2006, the City Council adopted the governmental program to be achieved by the City's sponsorship of the MacPhail Center for Music facility to construct, equip and operate a music education center that includes studios, classrooms, and a performance hall, together with education programming, other cultural performances, and related and ancillary uses in the City of Minneapolis, pursuant to which the City expects to support cultural participation and encourage economic development and tourism; and

Whereas, pursuant to the State bond grant the City is required to annually report to the State on the operation of the MacPhail Center for Music facility and approve its continued use for the governmental program; and

Whereas, pursuant to the use/lease agreement MacPhail Center for Music has submitted annual current and projected budgets for the operation of the governmental program at the MacPhail Center for Music facility to the City; and

Whereas, the City's Department of Community Planning and Economic Development (CPED Department) Director or authorized designee has reviewed and approved the budgets for the operation of the governmental program at the MacPhail Center for Music facility submitted by MacPhail Center for Music to the City and found (i) that the current governmental program budget forecast for the 2011-2012 fiscal year shows revenues that are equal to or exceed expenses; (ii) that the projected governmental program budgets for the next 3 fiscal years (2012-2013, 2013-2014 and 2014-2015) forecast revenues that are equal to or exceed forecast expenses; and (iii) that the operation of the MacPhail Center for Music facility by MacPhail Center for Music continues to meet the requirements of the governmental program;

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

That based on the reports and documents submitted by MacPhail Center for Music, the review performed by City staff and the findings of the CPED Department Director, the City Council finds (i) that the current MacPhail Center for Music facility governmental program budget forecast for the 2010-2011 fiscal year shows revenues that are equal to or exceed expenses; (ii) that the projected MacPhail Center for Music facility governmental program budgets for the next 3 fiscal years (2012-2013, 2013-2014 and 2014-2015) forecast revenues that are equal to or exceed forecast expenses; and (iii) that the operation of the MacPhail Center for Music facility by MacPhail Center for Music continues to meet the requirements of the governmental program.

Be It Further Resolved that the City Council hereby approves and authorizes the continued use of the governmental program at the MacPhail Center for Music facility by MacPhail Center for Music for the fiscal year 2011-2012.

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

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm Dev - Your Committee, having under consideration the Neighborhood Development Center's request for the restructure of three loans in relation to the Plaza Verde mixed-use office/retail development at 1508 E Lake St, now recommends authorization for the restructuring of three loan documents with NDC REDI, LLC as described in the Department of Community Planning & Economic Development staff report, subject to the following conditions:

a) Wells Fargo forgives the entire \$318,000 put/call fee applicable to the restructure; and

b) The tax credit asset manager substantially reduces the \$218,888 in accrued asset management fees.

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm Dev - Your Committee, having under consideration the Heritage Park Redevelopment Project, now recommends that the proper City officers be authorized to pursue foreclosure proceedings for properties owned by Heritage Housing, LLC consistent with provisions outlined in the Department of Community Planning & Economic Development staff report, and to execute appropriate documents.

Adopted 12/16/2011.

Absent - Colvin Roy.

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

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the carryforward of \$34,235,512 of 2011 Tax-Exempt Multi-family Housing Entitlement Revenue Bonds for multifamily housing programs and \$11,090,488 for Single Family programs.

Adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-673, authorizing carryforward of unused private activity bond volume cap, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2011R-673
By Goodman and Hodges**

Authorizing carryforward of unused private activity bond volume cap.

Whereas, the City of Minneapolis, Minnesota (the "City") is an "entitlement issuer" within the meaning of Minnesota Statutes, Section 474A.02, subd. 7; and

Whereas, the City's entitlement allocation of private activity bond volume cap for 2011 under Minnesota Statutes, Chapter 474A.03, subd. 2a is \$45,326,000; and

Whereas, the City expects to issue \$11,090,488 of private activity bonds allocable to its 2011 entitlement allocation on or prior to December 31, 2011; and

Whereas, the City may, under §146(f) of the Internal Revenue Code of 1986, as amended, and under Minnesota Statutes, Chapter 474A, "carryforward" all or a portion of the City's unused entitlement allocation; and

Whereas, it is in the best interest of the public health, safety and welfare that the City carryforward for qualified carryforward purposes its 2011 entitlement allocation remaining unused on December 31, 2011;

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

That the City hereby elects to carryforward its remaining 2011 entitlement allocation for qualified residential rental bonds.

Be It Further Resolved that the Director of the Department of Community Planning and Economic Development is hereby authorized and directed to execute and cause to be filed with the Internal Revenue Service a Form 8328 specifying the amount of 2011 entitlement allocation to be carried forward as described above. The Form 8328 shall be filed with the Internal Revenue Service on or before February 15, 2012. The Director is further authorized to notify the Minnesota Department of Finance of such carryforward at such time and as required by Minnesota Statutes, Chapter 474A.

Adopted 12/16/2011.

Absent - Colvin Roy.

Comm Dev & W&M/Budget - Your Committee, having under consideration submittal of applications to the Minnesota Department of Employment and Economic Development Redevelopment Grant Program, now recommends passage of the accompanying resolution authorizing the proper City officers to submit applications for the following projects: 430 Oak Grove, 700 Central, Currie Park Lofts, Parcel A, Pillsbury Lofts, Spirit on Lake, and West Broadway Curve.

Your Committee further recommends that the accompanying resolution authorizing application for the Hennepin County West Broadway Hub project be sent forward without recommendation.

Goodman moved to amend the report by deleting the second paragraph and including Hennepin County West Broadway Hub on the list of projects authorized for application submittal. Seconded.
Adopted by unanimous consent.

Absent - Colvin Roy.

The report, as amended, was adopted 12/16/2011.

Absent - Colvin Roy.

Resolution 2011R-674, authorizing applications to the Minnesota Department of Employment and Economic Development Redevelopment Grant Program for the following projects: 430 Oak Grove, 700 Central, Currie Park Lofts, Hennepin County West Broadway Hub, Parcel A, Pillsbury Lofts, Spirit on Lake, and West Broadway Curve, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-674
By Goodman and Hodges

Authorizing applications to the Minnesota Department of Employment and Economic Development Redevelopment Grant Program for the following projects: 430 Oak Grove, 700 Central, Currie Park Lofts, Hennepin County West Broadway Hub, Parcel A, Pillsbury Lofts, Spirit on Lake, and West Broadway Curve.

Whereas, the City of Minneapolis intends to act as the legal sponsor for the following projects that will be more completely described in the Redevelopment Grant applications to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on or by January 3, 2012: 430 Oak Grove, 700 Central, Currie Park Lofts, Hennepin County West Broadway Hub, Parcel A, Pillsbury Lofts, Spirit on Lake, and West Broadway Curve; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capacity to ensure adequate project administration; and

Whereas, the sources and amounts of the local match identified in the applications are (or are expected to be) committed to the identified projects; and

Whereas, the City has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice; and

Whereas, upon approval of its applications, the City may enter into agreements with the State of Minnesota for the above-referenced projects and will comply with all applicable laws and regulations as stated in said agreements;

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

That the City Council authorizes the Director or Deputy of the Department of Community Planning and Economic Development to apply to the Minnesota Department of Economic Development for Redevelopment Program grant funding for the above-referenced projects, and that the City's Finance Officer, Contracts Administrator or Purchasing Agent and/or other duly authorized City staff are hereby authorized to execute any agreements that may be necessary to implement the projects.

Adopted 12/16/2011.

Absent - Colvin Roy.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH Committee submitted the following report:

PSC&H – Your Committee, having under consideration appointments to the Minneapolis Commission on Civil Rights, now recommends correction of a clerical error from the 2010 appointment cycle to reflect that Commissioner Surya Rochel's appointment as a City Council appointee from Ward 7 be re-designated to reflect a term to expire December 31, 2012.

Adopted 12/16/2011.

Absent – Colvin Roy.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:

PSC&H & W&M/Budget – Your Committee, to whom was referred an ordinance amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs, Cats, Ferrets, and Rabbits*, amending pet licensing provisions to reduce the annual pet license fee, eliminate the sibling pet license discount, and create a discounted pet license for individuals on public assistance, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 12/16/2011. Yeas, 11; Nays, 1 as follows:

Yeas – Hofstede, Schiff, Lilligren, Tuthill, Quincy, Glidden, Hodges, Samuels, Gordon, Reich, Johnson.

Nays – Goodman.

Absent – Colvin Roy.

Ordinance 2011-Or-122 amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to *Animals and Fowl: Dogs, Cats, Ferrets, and Rabbits*, amending Section 64.30 to reduce the annual pet license fee; eliminate the sibling pet license discount; and create a discounted pet license for individuals on public assistance, was adopted 12/16/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2011-Or-122

By Schiff

Intro & 1st Reading: 11/4/2011

Ref to: PSC&H

2nd Reading: 12/16/2011

Amending Title 4, Chapter 64 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Dogs, Cats, Ferrets, and Rabbits.

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

Section 1. That Section 64.30 of the above-entitled ordinance be amended to read as follows:

64.30. License application and fee. (a) Every person required to obtain a license under this chapter shall make application to Minneapolis Animal Care and Control for a dog or cat license. The license shall expire on January thirty-first of each year, except that any license issued on or after February 1, 2011 shall be valid for one (1) year from the date of issuance. As a condition for the issuance of a dog or cat license, the applicant shall certify that the dog or cat has been vaccinated against rabies in conformance with the requirements of this Code.

(b) Minneapolis Animal Care and Control shall provide each dog and cat licensed with a metallic tag upon which shall be stamped or engraved the registration number of the dog or cat. The annual fee for a dog or cat license required by this Code shall be ~~thirty~~ twenty-five dollars (~~\$30.00~~ \$25.00) for a spayed or neutered dog or cat; verification that the dog or cat has been spayed or neutered is required. A "sibling" license shall be available for spayed or neutered dogs and cats residing in the same household for an annual fee of ~~thirty~~ twenty dollars (~~\$30.00~~ \$20.00) for each dog or cat after the initial fee of thirty dollars (~~\$30.00~~) is paid for the first dog or cat. A maximum of two (2) "sibling" licenses may be issued per household. The fee for a three-year pet license shall be ~~ninety~~ seventy-five dollars (~~\$90.00~~ \$75.00) for a spayed or neutered dog or cat; verification that the dog or cat has been spayed or neutered is required. A "sibling" three-year pet license shall be available for spayed or neutered dogs and cats residing in the same household for a fee of ~~ninety~~ sixty dollars (~~\$90.00~~ \$60.00) for each dog or cat after the initial fee of ninety dollars (~~\$90.00~~) is paid for the first dog or cat. A maximum of two (2) "sibling" licenses shall be issued per household. The annual fee for an unneutered or unspayed dog or cat shall be fifty dollars

(\$50.00). Individuals sixty-five (65) years of age or older and individuals who receive means-tested public assistance and/or households with limited income shall pay a ~~reduced~~ discount on their annual license fee in the amount of fifteen dollars (\$15.00) for each dog or cat. A lifetime license is available for dogs and cats that are spayed or neutered and are microchipped. Certification by a licensed veterinarian that the animal is spayed or neutered is required for a lifetime license. The microchip number and manufacturer must be provided for the lifetime license to be issued. The fee for a lifetime license shall be two hundred dollars (\$200.00). There shall be no reimbursement of any license fee, including lifetime, upon the death or removal of the animal from the city and fees shall not be prorated. Animals declared dangerous and potentially dangerous are not eligible for lifetime licenses.

(c) Dogs in training with or trained by a recognized program with an established curriculum for training dogs for service to persons with disabilities, and dogs and cats awaiting adoption in foster homes under a recognized pet adoption program, shall be exempt from the license fees in this section. To qualify for an exemption, such programs shall be approved by the Manager of Minneapolis Animal Care and Control.

(d) Transfer of license. Licenses obtained under this chapter are not transferable from one owner to another owner. Licenses obtained under this chapter are not transferable from one animal to another.

(e) Minneapolis Animal Care and Control may contract with approved veterinary clinics, pet stores, animal day care centers and other businesses as approved by Minneapolis Animal Care and Control to receive dog and cat license applications and to remit the application and fee to Minneapolis Animal Care and Control.

(f) Payment of outstanding fees and fines. No license shall be issued or renewed until all outstanding fees, fines or other financial claims of the city have been remitted to Minneapolis Animal Care and Control.

Adopted 12/16/2011. Yeas, 11; Nays, 1 as follows:

Yeas – Hofstede, Schiff, Lilligren, Tuthill, Quincy, Glidden, Hodges, Samuels, Gordon, Reich, Johnson.

Nays – Goodman.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract amendment with Hennepin County, in the estimated amount of \$200,695, to continue providing Police Department Detox Van services in Minneapolis for calendar year 2012.

Your Committee further recommends passage of the accompanying resolution appropriating \$200,695 to the Police Department.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-675
By Samuels and Hodges**

Amending The 2011 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Police Special Revenue Fund (01210-4004100) by \$200,695 and increasing the revenue source (01210-4004100) by \$200,695.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee, having under consideration the LiveScan Fingerprint System in the Police Department's Crime Laboratory, now recommends that the report passed October 21, 2011 relating to a contract extension with MorphoTrak be rescinded, and that the proper City officers be authorized to enter into an agreement with MorphoTrak for maintenance and support of the fingerprint system.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee, having under consideration the Police Department's participation in the State Internet Crimes Against Children Task Force, now recommends that the proper City officers be authorized to accept \$5,798 and execute a contract amendment with the Minnesota Bureau of Criminal Apprehension to provide funds for overtime expenses for two Forensic Computer Analysts or Investigators participating on the Task Force. The grant reimburses travel and subsistence expenses receiving prior approval. Further, passage of the accompanying resolution appropriating \$5,798 to the Police Department.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-676
By Samuels and Hodges**

Amending The 2011 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (01300-4003300) by \$5,798 and increasing the revenue source (01300-4003300-321010) by \$5,798.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends passage of the accompanying resolution approving donations of dog and cat food and treats for the care of animals at Minneapolis Animal Care & Control.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-677, approving donations of dog and cat food and treats for the care of animals at Minneapolis Animal Care & Control, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2011R-677
By Samuels and Hodges**

Approving donations of dog and cat food and treats for the care of animals at Minneapolis Animal Care & Control.

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:

- a) John and Mary Corlett:
8 cans of Avoderm wet dog food (13 oz each), Interceptor Flavor Tabs (heartworm/hookworm (6 pack), Enzymatic Toothpaste (0.4 oz), and Frontline Plus (2 doses)
- b) Members of the SE Minneapolis Curves for Women sponsored MACC during the first two weeks of November and collected the following donations:
20 x Proactive Health wet dog food (12.3 oz each), 6 x Pedigree wet dog food (13.2 oz each), Nutro MAX dog biscuits (60 oz), Nutro MAX adult dog food (15 lb), Whiskas cat food (15 lb), Beggin' Strips dog treats (25 oz), IAMS cat food (4 lb), IAMS cat food (6.8 lb), Purina Cat Chow Naturals (50.4 oz), Purina One Beyond cat food (48 oz), Old Mother Hubbard dog biscuits (3 lb 13 oz), Alley Cat cat food (56 oz), 8 x 9 Lives wet cat food (5.5 oz each), Purina Puppy Chow (8.8 lb), Milk Bones dog biscuits, small (26.4 oz), Milk Bones chewy dog treats (5 oz), 3 x Milk Bones dog biscuits, medium (28.6 oz), 5 x Whiskas Temptations cat food treats (3 oz each), 2 x Taste of the Wild dog treats (6 oz each), Taste of the Wild dog food (5 lb), Hartz Chicken Chews dog treats (3.5 oz), Paws Premium dog biscuits (4 lb), 3 x Meow Mix cat food (3.15 lb), Purina Cat Chow (3 lb), Whiskas Lickin's cat treats (3 oz), 2 x Alpo wet dog food (13.2 oz), 3 x Big Value dog snacks (16 oz each), Newman's Own organic dog treats (10 oz), and Purina Busy Rollhide treats (6 oz); 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 providing animal care and meeting our goals of responsible pet ownership, as allowed by law; 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 accepted and shall be used for the animals cared for at Minneapolis Animal Care and Control.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a grant award of \$124,804 and execute an agreement with the Pew Charitable Trusts to conduct a Health Impact Assessment in conjunction with the Above the Falls Policy Review and Implementation Study. The project will add public health considerations to the project by compiling evidence-based recommendations and conducting broad community engagement. Further, passage of the accompanying resolution appropriating \$124,804 to the Department of Health & Family Support.

Adopted 12/16/2011.

Absent – Colvin Roy.

Approved by Mayor Rybak 12/19/2011.

(Published 12/20/2011)

RESOLUTION 2011R-678

By Samuels and Hodges

Amending The 2011 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 Health & Family Support Agency in the Grants - Other Fund (01600-8600140) by \$124,804 and increasing the revenue source (01600-8600140-372001) by \$124,804.

Adopted 12/16/2011.

Absent – Colvin Roy.

Approved by Mayor Rybak 12/19/2011.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into an agreement with the State of Minnesota to accept a grant of \$75,000 for Healthy Homes

and Lead Poisoning Prevention. The three-year grant provides funds to prevent lead poisoning, asthma triggers, and other housing-related health issues for Minneapolis residents at highest risk. Further, passage of the accompanying resolution appropriating \$75,000 to the Department of Health & Family Support.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-679
By Samuels and Hodges**

Amending The 2011 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 Health & Family Support Agency in the Grants - Federal Fund (01300-8600130) by \$75,000 and increasing the revenue source (01300-8600130-321014) by \$75,000.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with the State of Minnesota to accept a grant in the amount of \$1,047,374 for the Statewide Health Improvement Program. The 18-month grant will provide funding to allow the Department of Health & Family Support and its partners to continue making long-term, sustainable improvements in Minneapolis parks, schools, worksites, child care, corner stores, housing complexes, health care clinics, and other environments to support healthy living. Further, passage of the accompanying resolution appropriating \$1,047,374 to the Department of Health & Family Support.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-680
By Samuels and Hodges**

Amending The 2011 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 Health & Family Support Agency in the Grants - Other Fund (01600-8600130) by \$1,047,374 and increasing the revenue source (01600-8600130-321507) by \$1,047,374.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to purchase two additional apparatus (fire engines) from Rosenbauer/General Safety in calendar year 2011 over and above the three units already ordered on OP #7351.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee, to whom was referred back on December 9, 2011 a resolution accepting donations for the One Minneapolis: A Call to Action Conference, now recommends passage of the following resolutions:

a) accepting monetary, property, goods, or services donations from sponsors of the One Minneapolis: A Call to Action Conference.

b) approving an appropriation of \$7,260 to the Department of Civil Rights.

Adopted 12/16/2011.

Absent – Colvin Roy.

DECEMBER 16, 2011

Resolution 2011R-681, accepting monetary, property, goods, or services donations from sponsors of the One Minneapolis: A Call to Action Conference, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-681 By Samuels and Hodges

Accepting monetary, property, goods or services donations from sponsors of the One Minneapolis: A Call to Action Conference.

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:

Minnesota Public Television (Facilitation)	
WCCO Radio (Master of Ceremonies)	
Comcast (Videotaping)	
Mortenson Construction	\$1,000
St. Thomas University	1,000
Henry Crosby, North Community YWCA	25
Alycia Honeck, North Hennepin Community College	50
Claire Leslie, Midwest Human Rights	50
Dale Swanson, Law Office of Dale Swanson	50
Dana Baker,	50
Frank Parisi, City of Mpls - City Coordinator's Office	50
Gail O'Kane, Mpls Community & Technical College	50
Gene Nichols, Take Action Minnesota	50
Gretchen Musicant, City of Mpls - Health Department	50
John Kapphahan, Rachel Contracting	50
Kris Lockhart, University of Minnesota	50
Kristen Simmons, Employment Action center - Resource Inc.	50
Micah Hines, Governor's Office	50
Michael McHugh, Midwest Construction Group	50
Patricia Brady, Workforce Solution	50
Phillip Miner,	50
Sara Axtell, Broadband Access Project	50
Yvonne Bilotta Burke,	50
Ezell Jones,	100
Ricky Hall, University of Minnesota	100
Steve Humerickhouse, Multicultural Forum on Workplace Diversity	100
Jack Barr, City of Mpls - Convention Center	100
David Rubedor, NCR - Neighborhood & Community Relations	135
Maria Fores, EEOC	135
Otto Doll, City of Mpls - BIS	135
Awetu Habtamu, St. Paul Department of Human Rights	185
Jane Mahowald, Assure Quality Painting	200
Larry Hiscock, Harrison Neighborhood Assoc.	235
Meg Newell, Edina Human Rights Commission	235
Susan Howl, Edina Human Rights Commission	235
David Rubedor, NCR - Neighborhood & Community Relations	450
Patrick Burns, Lindquist & Vennum	450

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

Whereas, all such donations have been contributed to assist the Minneapolis Department of Civil Rights in its conference themed One Minneapolis: A Call to Action, as allowed by law; 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:

The donations described above are accepted and shall be used for expenses incurred from the conference themed One Minneapolis: A Call to Action.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-682
By Samuels and Hodges**

Amending The 2011 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 Civil Rights Agency in the Grants – Other Fund (01600-3000200) by \$7,260 and increasing the Revenue Source (01600-3000200-345501) by \$7,260.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Health to accept an estimated amount of \$34,108 for continuation of the Nurse-Family Partnership Program in conjunction with the Minnesota Visiting Nurse Agency. The funds will be used for training, support, and evaluation of MVNA staff related to home visiting services for at-risk families. Further, passage of the accompanying resolution appropriating \$34,108 to the Department of Health & Family Support.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-683
By Samuels and Hodges**

Amending The 2011 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 Health & Family Support Agency in the Grants - Federal Fund (01300-8600153) by \$34,108 and increasing the revenue source (01300-8600153-321007) by \$34,108.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Health to accept an estimated amount of \$360,000 under the Minnesota Maternal, Infant and Early Childhood Home Visiting Program to provide home visiting services through the Minnesota for women and young children in North Minneapolis. Further, passage of the accompanying resolution appropriating \$360,000 to the Department of Health & Family Support.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-684
By Samuels and Hodges**

Amending The 2011 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 Health & Family Support Agency in the Grants - Other Fund (01600-8600153) by \$360,000 and increasing the revenue source (01600-8600153-321507) by \$360,000.

Adopted 12/16/2011.

Absent – Colvin Roy.

PSC&H & W&M/Budget – Your Committee recommends that the Fire Department be authorized to accept reimbursement, in the amount of \$2,054.66, as a participating member of the State of Minnesota's Task Force One Team, for training classes focusing on collapse rescue, including logistics and planning. Further, passage of the accompanying resolution appropriating \$2,054.66 to the Fire Department.

Adopted 12/16/2011.

Absent – Colvin Roy.

**RESOLUTION 2011R-685
By Samuels and Hodges**

Amending The 2011 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants – Federal Fund (01300-2800700) by \$2,054.66 and increasing the Revenue Source (01300-2800700-321015) by \$2,054.66.

Adopted 12/16/2011.

Absent – Colvin Roy.

The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

RE&E - Your Committee recommends passage of the accompanying resolution granting Liquor Licenses to the following businesses:

- a) Eat Street Social Club, 18 W 26th St;
- b) The Melting Pot, 80 S 9th St.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-686, granting Liquor Licenses to Eat Street Social Club, 18 W 26th St; and The Melting Pot, 80 S 9th St, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2011R-686
By Glidden**

Granting Liquor and Wine Licenses.

Resolved by The City Council of The City of Minneapolis:

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

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2012

Wagbon, LLC, dba Eat Street Social Club, 18 W 26th St (new business)

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2012

TSSN Inc, dba The Melting Pot Restaurant, 80 S 9th St (new proprietor).

Adopted 12/16/2011.

Absent – Colvin Roy.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-687, granting applications for Liquor, Wine and Beer Licenses, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-687

By Glidden

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275396):

Off-Sale Liquor, to expire January 1, 2013

Haskells Inc, dba Haskell's, 81 S 9th St

Surdyk's Liquor Inc, dba Surdyk's Liquor, 303 E Hennepin Av

U B Liquors LLC, dba Merwin Liquors, 700 W Broadway

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2013

University Gateway Corp, dba Gateway Cafe by D'Amico & Sons, 200 Oak St SE

90's Minneapolis LLC, dba Gay 90's, 400 Hennepin Av

Secure Entertainment LLC, dba The Lounge, 411 2nd Av N

AMPA Inc, dba Y'All Come Back Saloon, 830 Hennepin Av

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2012

Aramark Food Service LLC, dba Aramark Food Services, 500 11th Av S (new corporate officer)

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2013

Lymar Inc, dba Lyon's Pub, 16 S 6th St, ground floor

East By Northeast LLC, dba Ginger Hop Restaurant & Honey at Ginger Hop, 201 E Hennepin Av

Miss Jimmy Inc, dba Red Stag Supperclub, 509 1st Av NE

Haze 3 Corp, dba Grumpy's Bar & Grill, 1111 Washington Av S

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2012

American Swedish Institute, dba American Swedish Institute, 2600 Park Av

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2012

Keegan Pubs Inc, dba Keegans Pub, 24 University Av NE, #B

Espresso Monkeys Incorporated, dba Acadia Cafe, 329 Cedar Av S

Lip to Lip Inc, dba In Wunderbar, 983 E Hennepin Av

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2013

Watermark Entertainment LLC, dba Republic, 221 Cedar Av S

Kieran's Irish Pub First Avenue LLC, dba Kieran's Irish Pub First Avenue, 600 Hennepin Av #170

Historic Theatre Group LLC, dba Pantages Theatre, 710 Hennepin Av

Historic Theatre Group LLC, dba State Theatre, 805 Hennepin Av
Historic Theatre Group LLC, dba Orpheum Theatre, 910 Hennepin Av
Rubio LLC, dba Adelitas Mexican Restaurant, 2405 Central Av NE
On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2013
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 225 E Hennepin Av
Two Wiseguys Inc, dba Origami Restaurant, 30 1st St N, 1st floor
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 50 S 6th St
Watermark Restaurants LLC, dba Mission American Kitchen & Bar, 80 S 8th St #124
Concept Eatery LLC, dba 112 Eatery, 112 3rd St N
Brinda Companies Inc, dba Pracna on Main, 117 Main St SE
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 200 S 6th St #100
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 229 Cedar Av S
Rosa Mexicano Minneapolis LLC, dba Rosa Mexicano, 609 Hennepin Av #101
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 800 Washington Av SE
Landrock Corportion, dba American Burger Bar, 800 LaSalle Av #130
Zelo Inc, dba Zelo, 831 Nicollet Mall
Ala Salsa Enterprises LLC, dba A La Salsa Restaurant, 920 E Lake St, #155
Fossland-Olson Inc, dba Scotts 1029 Bar, 1029 Marshall St NE
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 1040 Nicollet Mall
Bullfrog Inc, dba Bullfrog Cajun Bar, 1111 Hennepin Av
Back Bar LLC, dba Eli's, 1225 Hennepin Av
B & A Restaurant Corporation, dba Ping's Szechuan Bar & Grill, 1401 Nicollet Av
Ariza Enterprises LLC, dba Salsa A La Salsa Mexican Grill, 1420 Nicollet Av
The Bulldog Restaurant Inc, dba The Bulldog Restaurant, 2549 Lyndale Av S
2558 Lyndale Inc, dba Common Roots Cafe, 2558 Lyndale Av S
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 2600 Hennepin Av
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 3040 Excelsior Blvd
3675 Minnehaha Inc, dba Rail Station Bar & Grill, 3675 Minnehaha Av
Cintia's of Mexico Bar & Rest Inc, dba Cintias, 6042 Nicollet Av
On-Sale Liquor Class E, to expire January 1, 2013
S Squared LLC, dba Saffron Restaurant & Lounge, 123 3rd St N.
Adopted 12/16/2011.
Absent – Colvin Roy.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.
Adopted 12/16/2011.
Absent – Colvin Roy.

Resolution 2011R-688, granting applications for Business Licenses, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-688
By Glidden

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of December 16, 2011 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275396):

Amusement Devices; Christmas Tree; Dry Cleaner – Non-Flammable; Dry Cleaning & Laundry Pickup Station; Laundry; Farm Produce Permits; Grocery; Short-Term Food Permit; Gasfitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Hotel/Motel; Towing Class B; Plumber; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class A; Sign Hanger; Steam & Hot Water Systems Installer; Swimming Pool – Public; Tattooist/Body Piercer Establishment; Taxicab Vehicle - Fuel Efficient; Taxicab Vehicle – Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; Wrecker of Buildings Class B.

Adopted 12/16/2011.

Absent – Colvin Roy.

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

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-689, granting applications for Gambling Licenses, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-689

By Glidden

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275396):

Gambling Exempt

Fast Break Club, dba Fast Break Club, PO Box 41995 (Raffle January 2, 2012, Williams Arena)

Our Lady of Peace, dba Our Lady of Peace, 5426 12th Av S (Raffle February 11, 2012, Our Lady of Peace)

Wilshire Park Parents Association, dba Wilshire Park Parents, 3600 High Crest Rd, St. Anthony (Raffle March 31, 2012, St. Marons Church).

Adopted 12/16/2011.

Absent – Colvin Roy.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Off-Sale Beer License held by Bobby & Steve's Autoworld, 1221 Washington Av S.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-690, approving License Settlement Conference recommendations relating to the Off-Sale Beer License held by Bobby & Steve's Autoworld, 1221 Washington Av S, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-690

By Glidden

Approving License Settlement Conference recommendations relating to the Off-Sale Beer License held by Bobby & Steve's Autoworld, 1221 Washington Av S.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the following:

a) on two separate occasions within a period of less than 24 months, employees of Bobby & Steve's Auto World sold alcohol to persons under the age of 21, in violation of the Minneapolis Code of Ordinances, State Statutes, and the established compliance check policy and procedures of the City of Minneapolis; and

b) the licensee has paid the administrative fines related to the stated compliance check failures;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. In lieu of a suspension of the on-sale liquor license, the City shall impose a \$1,500 sanction. \$1,000 will be stayed for a period of one year and \$500 will be due 30 days from the day the full City Council approves the agreement.

Adopted 12/16/2011.

Absent – Colvin Roy.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Grocery License held by Main Street Market, 3653 Chicago Av.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-691, approving License Settlement Conference recommendations relating to the Grocery License held by Main Street Market, 3653 Chicago Av, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-691

By Glidden

Approving License Settlement Conference recommendations relating to the Grocery License held by Main Street Market, 3653 Chicago Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 22, 2011 with the licensee concerning the ownership of Main Street Market, 3653 Chicago Av S; and

Whereas, Mr. Ali Mounaim stated that he wished to sell the store;

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

That the following agreement between Business Licensing and Mr. Mounaim be and is hereby approved:

1. Mr. Ali Mounaim declares that he is the current 100% share owner of AFK, Inc. Mr. Mounaim declares that AFK, Inc has full and complete ownership of the business known as Main Street Market

located at 3653 Chicago Av S.

2. Mr. Ali Mouneim states that he will surrender his business licenses by January 15, 2011.

3. Mr. Mouneim agrees that any sale of AFK, Inc and Main Street Market will not involve his family, friends or close acquaintances. The sale of the business will be an arm's length sale.

4. Mr. Ali Mouneim shall not be involved or possess interest in the ownership or management of Main Street Market or any new business to be located at 3653 Chicago Avenue South after the sale of the business. Mr. Mouneim shall not be employed by or at the licensed establishment nor derive or share in any financial benefit associated with the operation of the establishment.

Adopted 12/16/2011.

Absent – Colvin Roy.

RE&E - Your Committee, having under consideration the Rental Dwelling Licenses held by RBE Properties - Ronald Folger for the properties located at 3439 Aldrich Av N, 3746 Bryant Av N, 3543 Colfax Av N, 3547 Colfax Av N, 3623 Colfax Av N, 3638 Colfax Av N, 3301 Dupont Av N, 3343 Dupont Av N, 3300 Emerson Av N, 4351 Fremont Av N, 3455 Girard Av N, 3407 Irving Av N, 3534 Lyndale Av N, 3419 Morgan Av N, 3347 Newton Av N, and 3319 Thomas Av N, and a hearing having been held before Administrative Hearing Officer Edward Backstrom who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends the following:

a) Concurrence with the recommendation of the Director of Housing Inspections that said licenses be revoked for failure to meet licensing standards pursuant to Section 244.1910, Subdivision (13) of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

b) If no appeal is timely filed, that eviction proceedings be stayed for a period of at least 90 days with staff directed to use reasonable discretion following that period to ensure that affected tenants are relocated to suitable housing arrangements, including additional stay of any eviction as is reasonable and necessary.

c) That staff be directed to work together with outside jurisdictions and partners to help plan for the potential vacation of affected rental properties and relocation of affected residents.

Glidden moved that the report be amended by deleting paragraphs "b" and "c" and inserting in lieu thereof new paragraphs "b" through "e", to read as follows:

"b) If no proper appeal is timely filed, the affected dwelling units shall be ordered vacated in a reasonable timeframe, no later than June 15, 2012, pursuant to Section 244.1970 of the Minneapolis Code of Ordinances. During this pendency, Minneapolis Housing Inspections, in partnership with the Department of Community Planning & Economic Development (CPED), shall actively engage with Hennepin County Rapid Exit Program, the Community Land Bank and other non-profit housing providers to develop a reasonable re-location program to assist any tenants that may be displaced by the action.

c) Staff is directed to work with outside jurisdictions and partners to help plan for the vacation of affected rental properties and the relocation of affected residents. The primary goals of such assistance shall include:

1. Attempting to ensure that displacement will not adversely affect families with school age children and will keep families in their homes so children can finish the school year in their school of choice;
2. Working with families to find housing to meet their needs and recognizing that the exceptionally tight rental market in the North Minneapolis community limits current options. Outreach shall be consolidated to door-knock and evaluate each family's individual needs and shall be completed by January 31, 2012; and
3. Developing a plan, ready for implementation by February 21, 2012, to ensure families can secure emergency housing resources or other social services to assist them with a housing transition.

d) Housing Inspections staff shall follow-up on the violation orders at all affected properties and the property owner shall continue to be accountable and responsible for maintaining safe and compliant housing.

e) If an appeal is timely filed, all associated staff directions shall be revisited by staff and policy makers and revised as necessary.” Seconded.

Adopted upon a voice vote.

Absent – Colvin Roy.

The report, as amended, was adopted 12/16/2011.

Absent – Colvin Roy.

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

W&M/Budget - Your Committee recommends passage of the accompanying resolutions authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-692, authorizing the settlement of *the Appeal from Conciliation Court, Billy Sledge and Jeannette Sledge v. City of Minneapolis*, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-692

By Hodges

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of the *Appeal from Conciliation Court, Billy and Jeannette Sledge v. City of Minneapolis*, by payment of \$1,800 to Billy Sledge, from the Internal Service Self Insurance Fund (06900-1500100-145685).

Further, authorize the City Attorney’s Office to execute any documents necessary to effectuate the above settlements.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-693, authorizing the settlement of *City of Minneapolis v. Minneapolis Police Relief Association and Minneapolis Firefighters’ Relief Association*, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-693

By Hodges

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney and the Deputy City Attorney is authorized to proceed with the settlement of *City of Minneapolis v. Minneapolis Police Relief Association and Minneapolis Firefighters’ Relief Association*, as set forth in Petn No 275399.

Further, authorizing the City Attorney’s Office and/or the City’s outside counsel, Kennedy & Graven, to execute any other documents necessary to effectuate the settlement and dismissal of the lawsuit consistent with the terms of the agreement.

Adopted 12/16/2011.

Absent – Colvin Roy.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a three-year contract effective January 1, 2012 through December 31, 2014 with Thomson Reuters, with the option to extend for two additional years for online legal research services. No additional appropriation is required.

Adopted 12/16/2011.

Absent – Colvin Roy.

W&M/Budget - Your Committee recommends approval of the February 2012 utility billing insert on behalf of the City Coordinator - Sustainability providing information about the City Trees program, encouraging people to order a \$25 tree in March for their Minneapolis property (Petn 275400).

Adopted 12/16/2011.

Absent – Colvin Roy.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing acceptance of the donation from the Minneapolis Downtown Council of the usage and related support for the usage of the skyway for the annual Minneapolis Legislative Holiday party.

Adopted 12/16/2011.

Absent – Colvin Roy.

RESOLUTION 2011R-694

By Hodges

Authorizing the donation of usage and related support for the usage of the skyway for the annual Minneapolis Legislative Holiday party.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the donation from the Minneapolis Downtown Council of the usage and related support for the usage of the skyway between the Young Quinlan Building and the "Target Store Block," near the intersection of 9th Street and Nicollet Mall on Friday, December 16, 2011 for the annual Minneapolis Legislative Holiday party.

Adopted 12/16/2011.

Absent – Colvin Roy.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the following four (4) new appointed positions within the Public Works Department (set forth in Petn No 275402):

a) Assistant Director Water Treatment and Distribution (grade 15 with 683 points), effective November 18, 2011;

b) Manager Public Works Finance, (grade 11 with 525 points), effective November 18, 2011;

c) Manager Administration and Personnel, (grade 11 with 513 points), effective November 18, 2011; and

d) Director Administration Public Works, (grade 13 with 598 points), effective December 7, 2011.

Your Committee further recommends passage of the accompanying Salary Ordinances establishing the salaries for said appointed positions.

Adopted 12/16/2011.

Absent – Colvin Roy.

Ordinances 2011-Or-123 through 2011-Or-126 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, approving the appointed positions of Assistant Director Water Treatment and Distribution, Manager Public Works Finance, Manager Administration and Personnel, and Director Administration Public Works, were adopted 12/16/2011 by the City Council. A complete copy of each ordinance is available for public inspection in the office of the City Clerk.

DECEMBER 16, 2011

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

**ORDINANCE 2011-Or-123
By Hodges
1st & 2nd Readings: 12/16/2011**

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: November 18, 2011**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
E	1	Assistant Director Water Treatment and Distribution (Public Works)	683	15	A	\$103,630	\$109,084	\$112,356	\$114,538

Adopted 12/16/2011.
Absent – Colvin Roy.

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

**ORDINANCE 2011-Or-124
By Hodges
1st & 2nd Readings: 12/16/2011**

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: November 18, 2011**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
E	1	Manager Public Works Finance	525	11	A	\$79,196	\$83,364	\$85,865	\$87,532

Adopted 12/16/2011.
Absent – Colvin Roy.

DECEMBER 16, 2011

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

ORDINANCE 2011-Or-125
By Hodges
1st & 2nd Readings: 12/16/2011

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: November 18, 2011

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
E	1	Manager Administration And Personnel (Public Works)	513	11	A	\$77,340	\$81,411	\$83,853	\$85,481

Adopted 12/16/2011.
Absent – Colvin Roy.

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

ORDINANCE 2011-Or-126
By Hodges
1st & 2nd Readings: 12/16/2011

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: December 7, 2011

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
E	1	Director Administration Public Works	598	13	A	\$90,485	\$95,247	\$98,105	\$100,010

Adopted 12/16/2011.
Absent – Colvin Roy.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions approving terms of the following collective bargaining agreements:

- a) Machinists Unit, I.A.M.A.W. District Lodge #77, effective July 1, 2010 through June 30, 2012;

DECEMBER 16, 2011

b) 9-1-1 Unit, AFSCME, District #5, Local Union #9, effective January 1, 2011 through December 31, 2013;

c) AFSCME – General, Clerical, and Technical Unit, effective January 1, 2011 through December 31, 2012;

d) Laborers Unit - Local #363, effective January 1, 2011 through December 31, 2012;

e) Minneapolis Foremen's Association, effective January 1, 2011 through December 31, 2012; and

f) Minneapolis City Supervisors Association, effective January 1, 2011 through December 31, 2012.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-695, approving a 24-month labor agreement with Machinists Unit, Lodge #77, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-695

By Hodges

Approving the terms of a collective bargaining agreement with the Machinists Unit, I.A.M.A.W. District Lodge #77 and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Machinists Unit, I.A.M.A.W. District Lodge #77 (Petn No 275401), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-696, approving a 36-month labor agreement with 9-1-1 Unit, AFSCME, District #5, Local Union #9, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-696

By Hodges

Approving the terms of a collective bargaining agreement with the 9-1-1 Unit, AFSCME, District #5, Local Union #9 and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the 9-1-1 Unit, AFSCME, District #5, Local Union #9 (Petn No 275401), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-697, approving a 24-month labor agreement with AFSCME General, Clerical, and Technical Unit, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-697

By Hodges

Approving the terms of a collective bargaining agreement with the AFSCME General, Clerical, and Technical Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the AFSCME General, Clerical, and Technical Unit (Petn No 275401), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-698, approving a 24-month labor agreement with Laborers Local #363, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-698

By Hodges

Approving the terms of a collective bargaining agreement with the Laborers Unit - Local #363 and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Laborers Unit - Local #363 (Petn No 275401), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-699, approving a 24-month labor agreement with Minneapolis Foremen's Association, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-699

By Hodges

Approving the terms of a collective bargaining agreement with the Minneapolis Foremen's Association and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis Foremen's Association (Petn No 275401), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-700, approving a 24-month labor agreement with Minneapolis City Supervisors Association, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-700

By Hodges

Approving the terms of a collective bargaining agreement with the Minneapolis City Supervisors Association and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis City Supervisors Association (Petn No 275401), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 12/16/2011.

Absent – Colvin Roy.

W&M/Budget- Your Committee recommends passage of the accompanying resolution designating the utility rates for water, sewer, stormwater, solid waste, and recycling services, effective on and after January 1, 2012.

Adopted 12/16/2011.

Absent – Colvin Roy.

Resolution 2011R-701, designating the utility rates for water, sewer, stormwater, solid waste, and recycling services, effective on and after January 1, 2012, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2011R-701

By Hodges

Designating the utility rates for water, sewer, stormwater, solid waste, and recycling services effective with water meters read on and after January 1, 2012.

Resolved by The City Council of The City of Minneapolis:

Effective with utility billings for water meters read from and after January 1, 2012, the meter rates for water are hereby fixed and shall be collected as follows:

Charges commence when the street valve is turned on for water service.

(a) Three dollars and twenty cents (\$3.20) per one hundred (100) cubic feet for customers not otherwise mentioned.

(b) Three dollars and thirty-five cents (\$3.35) per one hundred (100) cubic feet to municipalities, municipal corporations, villages and customers outside the corporate limits of the city where service is furnished through individual customer meters.

(c) Rates for municipalities, municipal corporations and villages, which are established by contract, shall continue on the existing contract basis.

(d) In addition to the above rates a fixed charge based on meter size will be billed each billing period or fraction thereof as follows:

Meter Size	Fixed Charge
5/8-inch	\$ 2.00
3/4-inch	3.00
1-inch	5.00
1 1/2-inch	10.00
2-inch	16.00
3-inch	30.00
4-inch	50.00
6-inch	100.00
8-inch	160.00
10-inch	230.00
12-inch	660.00

(e) The fixed charge for an owner occupied residential development serviced by a combined fire/general service line shall be a multiple of the number of units served, times the fixed charge for a three-fourth (3/4) inch meter.

(f) All fire standpipes, supply pipes and automatic sprinkler pipes with detector meters, direct meters or non-metered, shall be assessed according to size of connection at the following rates each per annum for the service and inspection of the fire protection pipes and meters installed, as follows:

1½ inch pipe connection ...	\$ 30.00
2 inch pipe connection . . .	\$ 30.00
3 inch pipe connection . . .	40.00
4 inch pipe connection . . .	60.00
6 inch pipe connection . . .	120.00
8 inch pipe connection . . .	190.00
10 inch pipe connection . . .	275.00
12 inch pipe connection . . .	790.00

When the seal of any of the valves connecting with such fire protection pipes shall be broken, it shall be forthwith resealed by the superintendent of the waterworks. All connections for fire systems must have a post indicator valve installed at the curb if ordered by the superintendent of the waterworks. (Code 1960, As Amend., § 606.030; Ord. of 12-28-73, § 1)

The sanitary sewer rates and stormwater service rate shall be applied to utility billings for water meters read from and after January 1, 2012.

Sanitary Sewer Rate

The sanitary sewer rates to be charged properties within and outside the City of Minneapolis that are served directly by the City of Minneapolis sewer system and that are all served either directly or indirectly by the sewage disposal system constructed, maintained and operated by the Metropolitan Council Environmental Services under and pursuant to Minnesota Statutes Sections 473.517, 473.519 and 473.521, Sub. 2, are hereby set as follows:

(a) The sanitary sewer rate applicable inside the City of Minneapolis is three dollars and five cents (\$3.05) per one hundred (100) cubic feet.

(b) In addition, a fixed charge based on water meter size will be billed each billing period or fraction thereof as follows:

Meter Size	Fixed Charge
5/8-inch	\$ 3.00
3/4-inch	4.50
1-inch	7.50
1 1/2-inch	15.00
2-inch	24.00
3-inch	48.00
4-inch	75.00
6-inch	150.00
8-inch	240.00
10-inch	345.00
12-inch	990.00

(c) The sanitary sewer rate applicable outside the City of Minneapolis for all sewage flow generated is three dollars and five cents (\$3.05) per one hundred (100) cubic feet when the City of Minneapolis also provides water. In addition, the fixed charge sanitary sewer rate shall be based on meter size per section (b).

(d) Sanitary sewer only service outside the City of Minneapolis shall be twenty dollars (\$20.00) per month.

(e) The sanitary sewer charge for residential property not exceeding three (3) residential units shall be based on the volume of water used during the winter season which is defined as a four (4) month period between November 1 and March 31.

(f) The sanitary sewer charge for residential property exceeding three (3) residential units and all other commercial and industrial property shall be based on measured sewage volume or the total water volume used during the billing period as is appropriate.

Stormwater Rate

The stormwater rate, subject to the provisions in Chapter 510, of the Minneapolis Code of Ordinances, is imposed on each and every Single-Family Residential Developed Property, Other Residential Developed Property, Non-Residential Developed Property, and Vacant Property, other than Exempt Property, and the owner and non-owner users, and is hereby set as follows:

(a) The Equivalent Stormwater Unit (ESU) rate is eleven dollars and seventy cents (\$11.70). The ESU measurement is 1,530 square feet of impervious area.

(b) The stormwater rate imposed on Single-Family Residential Developed Properties shall be categorized into three tiers based on the estimated amount of impervious area as follows:

High – Single-Family Residential Developed Property – greater than one thousand five hundred and seventy-eight (1,578) square feet of estimated impervious area. The ESU shall be 1.25 and the stormwater rate set at fourteen dollars and sixty-three cents (\$14.63).

Medium – Single-Family Residential Developed Property – equal to or greater than one thousand four hundred and eighty-five (1,485) square feet and less than or equal to one thousand five hundred and seventy-eight (1,578) square feet of estimated impervious area. The ESU shall be 1.00 and the stormwater rate set at eleven dollars and seventy cents (\$11.70).

Low – Single-Family Residential Developed Property – less than one thousand four hundred and eighty-five (1,485) square feet of estimated impervious area. The ESU shall be .75 and the stormwater rate set at eight dollars and seventy-eight cents (\$8.78).

(c) Stormwater charges for all other properties will be based on the following calculation:

$$\text{(Gross Lot Size in sq.ft. X Runoff Coefficient)} \div 1,530 \text{ sq. ft.} = \# \text{ of ESU} \# \text{ of ESU} \times \$ 11.70 = \text{Monthly Fee}$$

The runoff coefficient assumed for each land use category is shown below.

<u>Land Use</u>	<u>Coefficient Applied</u>
Bar-Rest.-Entertainment	.75
Car Sales Lot	.95
Cemetery w/Monuments	.20
Central Business District	1.00
Common Area	.20
Garage or Misc. Res.	.55
Group Residence	.75
Ind. Warehouse-Factory	.90
Industrial railway	.85
Institution-Sch.-Church	.90
Misc. Commercial	.90
Mixed Comm.-Res-Apt	.75
Multi-Family Apartment	.75
Multi-Family Residential	.40
Office	.91
Parks & Playgrounds	.20
Public Accommodations	.91
Retail	.91
Single Family Attached	.75
Single Family Detached	ESU
Sport or Rec. Facility	.60
Utility	.90
Vacant Land Use	.20
Vehicle Related Use	.90

Solid waste and recycling variable rate charges associated with water meter read dates from and after January 1, 2012, the charges shall be as follows:

- (a) The base unit charge shall be twenty-four dollars (\$24.00) per dwelling unit per month.
- (b) The recycling reduction shall be seven dollars (\$7.00) per dwelling unit per month for the units whose occupants qualify as participating in the city's recycling program.
- (c) The cart disposal charge shall be two dollars (\$2.00) per month for each small cart.
- (d) The cart disposal charge shall be five dollars (\$5.00) per month for each large cart assigned to a dwelling unit.

Adopted 12/16/2011.
Absent – Colvin Roy

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Brian Pastarr to vacate 5.6 feet of Chestnut Ave W where it is adjacent to the property at 1815 Chestnut Ave W (#1594), and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said public street.

Adopted 12/16/2011.
Absent - Colvin Roy.

DECEMBER 16, 2011

Resolution 2011R-702, vacating part of Chestnut Avenue West at the property of 1815 Chestnut Avenue West, was adopted 12/16/2011 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2011R-702
By Schiff**

Vacating part of Chestnut Avenue West at the property of 1815 Chestnut Avenue West (Vacation File No. 1594).

Resolved by the City Council of the City of Minneapolis:

The south 5.6 feet of Chestnut Avenue West described as follows: Commencing at a point on the south line of Chestnut Avenue West distant 100 feet west from its intersection with the Northwesterly line of Cedar Lake Road; thence West 100 feet; thence North 5.6 feet; thence East 100 feet; thence South 5.6 feet to the point of beginning is hereby vacated.

Adopted 12/16/2011.

Absent - Colvin Roy.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, eliminating the conditional use permit application requirement for multiple-family residential uses with five or more dwelling units, now concurs in the recommendation of the Planning Commission that the related findings be adopted, Chapters 549 and 551 be returned to author, and that the following ordinances be given their second reading for amendment and passage:

- a. Amending Chapter 530 relating to Site Plan Review;
- b. Amending Chapter 546 relating to Residence Districts;
- c. Amending Chapter 547 relating to Office Residence Districts; and
- d. Amending Chapter 548 relating to Commercial Districts.

Adopted 12/16/2011.

Absent - Colvin Roy.

Ordinance 2011-Or-127 amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to *Zoning Code: Site Plan Review*, amending Table 530-1 relating to conditions under which a site plan review may be reviewed administratively, was adopted 12/16/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2011-Or-127
By Schiff
Intro & 1st Reading: 7/22/2011
Ref to: Z&P
2nd Reading: 12/16/2011**

Amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review.

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

Section 1. That the following portion(s) of Table 530-1 of the above-entitled ordinance be amended to read as follows:

Table 530-1 Buildings and Uses Subject to Site Plan Review

Any building or use containing five (5) or more new or additional dwelling units or rooming units²

The site plan review application may be reviewed administratively if both of the following applies apply:

- (1) The project or proposal does not include any other land use application requiring a public hearing.
- (2) The proposal includes fewer than ten (10) new or additional dwelling units or rooming units.

² Additions that total five (5) or more dwelling or rooming units in any three (3) year period shall be subject to major site plan review and additions that total ten (10) or more dwelling or rooming units in any three (3) year period shall require a public hearing and shall not be eligible for administrative review.

Adopted 12/16/2011.
Absent - Colvin Roy.

Ordinance 2011-Or-128 amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to *Zoning Code: Residence Districts*, amending Table 546-1 to eliminate the conditional use permit application for multiple-family residential uses with five or more dwelling units, was adopted 12/16/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2011-Or-128
By Schiff
Intro & 1st Reading: 7/1/2011
Ref to: Z&P
2nd Reading: 12/16/2011

Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code: Residence Districts.

Section 1. That the following portion(s) of Table 546-1 of the above-entitled ordinance be amended to read as follows:

Use	Table 546-1 Principal Uses in Residence Districts								Specific Development Standards
	R1	R1A	R2	R2B	R3	R4	R5	R6	
RESIDENTIAL USES									
Dwellings									
Multiple-family dwelling, five (5) units or more					⊖ P	⊖ P	⊖ P	⊖ P	✓

Adopted 12/16/2011.
Absent - Colvin Roy.

Ordinance 2011-Or-129 amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to *Zoning Code: Office Residence Districts*, amending Table 547-1 to eliminate the conditional use permit application for multiple-family residential uses with five or more dwelling units, was adopted 12/16/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

DECEMBER 16, 2011

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

ORDINANCE 2011-Or-129
By Schiff
Intro & 1st Reading: 7/1/2011
Ref to: Z&P
2nd Reading: 12/16/2011

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

Section 1. That the following portion(s) of Table 547-1 of the above-entitled ordinance be amended to read as follows:

Table 547-1 Principal Uses in the Office Residence Districts

<i>Use</i>	<i>OR1</i>	<i>OR2</i>	<i>OR3</i>	<i>Specific Development Standards</i>
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RESIDENTIAL USES

Dwellings

Multiple-family dwelling, five (5) units or more Adopted 12/16/2011. Absent - Colvin Roy.	€ <u>P</u>	€ <u>P</u>	€ <u>P</u>	
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Ordinance 2011-Or-130 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, amending Table 548-1 to eliminate the conditional use permit application for multiple-family residential uses with five or more dwelling units, was adopted 12/16/2011 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2011-Or-130
By Schiff
Intro & 1st Reading: 7/1/2011
Ref to: Z&P
2nd Reading: 12/16/2011

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

Section 1. That the following portion(s) of Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
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RESIDENTIAL USES

Dwellings

Multiple-family dwelling, five (5) units or more Adopted 12/16/2011. Absent - Colvin Roy.	€ <u>P</u>					
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MOTION

Hofstede moved a staff direction to express to the Governor and other State and Federal officials the City's support of the Immediate Short-Term Priorities set forth by the Ad Hoc Asian Carp Task Force and support of all preventive measures downstream to keep Asian Carp out of all Minnesota waterways, and to reiterate the City's position that any lock closure should not become permanent unless and until:

A full and complete authorized and funded study of the consequences of such a closure is conducted measuring the impacts on the commercial, recreational and development future of the upper river in Minneapolis; and

Federal and State resources are secured to help the City and other upper river jurisdictions deal with the many issues caused by such a closure. This could include but not be limited to funds for redevelopment, relocation, land acquisition, pollution clean-up and river restoration. Seconded.

Adopted 12/16/2011

Absent- Colvin Roy.

UNFINISHED BUSINESS

RE&E - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, amending regulations applicable to outdoor areas and establishing capacity limits and specific hours of use, now recommends that said ordinance be sent forward without recommendation.

Tuthill moved to postpone. Seconded.

Adopted by unanimous consent 12/16/2011.

Absent- Colvin Roy.

Comm Dev & W&M/Budget – Your Committee, having under consideration the request of the Neighborhood Revitalization Program (NRP) Policy Board to increase the 2011 NRP Administrative Budget by \$250,000, now forwards without recommendation the following requests:

- a) Approve the 2011 NRP Administrative Budget, as amended and set forth in the NRP staff report;
- b) Passage of the accompanying resolution increasing the Department of Community Planning and Economic Development (CPED) appropriation in the NRP Fund by \$295,000 and request that CPED immediately transfer \$295,000 to the NRP's City of Minneapolis Fund 42300;
- c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement this request.

Goodman moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

Absent- Colvin Roy.

Peter Ginder, Deputy City Attorney, addressed the council on the matter.

Comm Dev & W&M/Budget – Your Committee, having under consideration the request of the Neighborhood Revitalization Program (NRP) Policy Board to increase the 2011 NRP Administrative Budget by \$250,000, now recommends:

- a) Approval of the 2011 NRP Administrative Budget, as amended and set forth in the NRP staff report and "Attachment A" except no funds shall be transferred to the 2011 NRP Administrative Budget to fund the Severance Pay and Benefit Plan described in Resolution No. NRP/PR#2011-06 and that Amendment #1 to the NRP Program Administrative Budget shall be decreased in the 2011 budget amount by \$224,091.00 for a new total of \$1,233,330.00, and that line 4000-4900 salaries shall be reduced to the original 2011 budget amount of \$411,081.00, and that line 7800-7860 fringe benefits shall be reduced to the original 2011 budget amount of \$126,840.00;

- b) Passage of the accompanying resolution increasing the Department of Community Planning and Economic Development (CPED) appropriation in the NRP Fund by \$70,909.00 and authorize CPED to immediately transfer \$70,909.00 to the NRP's City of Minneapolis Fund 42300;

c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement this request;

d) That the NRP Director is authorized to spend up to \$1,233,330.00 in 2011 on administration expenses and is not authorized to adjust amounts between "compensation" and the "non-compensation" category or "professional services" without further approval of the NRP Board and the City of Minneapolis.

Adopted 12/16/2011.

Absent - Colvin Roy.

**RESOLUTION 2011R-703
By Goodman and Hodges**

Amending The 2011 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 in the Department of Community Planning and Economic Development NRP Fund (CNR0-8903550) by \$70,909.00.

Adopted 12/16/2011.

Absent - Colvin Roy.

NEW BUSINESS

Schiff moved to introduce the subject matter of an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, for first reading and referral to the Zoning & Planning Committee (to amend fees for land use applications). Seconded.

Adopted by unanimous consent 12/16/2011.

Absent - Colvin Roy.

Schiff moved to introduce the subject matter of an ordinance amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to *Land Subdivision: Land Subdivision Regulations*, for first reading and referral to the Zoning & Planning Committee (to amend fees for subdivision applications). Seconded.

Adopted by unanimous consent 12/16/2011.

Absent - Colvin Roy.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 12/16/2011.

Absent - Colvin Roy.

Casey Joe Carl,
City Clerk.

Unofficial Posting: 2/21/2011
Official Posting: 12/23/2011
Correction: 2/23/2012; 10/12/2012