

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF OCTOBER 17, 2014

(Published October 25, 2014, in *Finance and Commerce*)

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

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

On motion by Glidden, seconded, the agenda was adopted.

On motion by Glidden, seconded, the minutes of the regular meeting of October 3, 2014.

On motion by Glidden, seconded, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on October 23, 2014. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

### REPORTS OF STANDING COMMITTEES

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

**CD&RS** - Your Committee, having under consideration the Rental Dwelling License held by Peter Leugers for property at 3016 Colfax Ave S, Minneapolis, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, and that the Findings of Fact, Conclusions and Recommendation prepared by the Department of Regulatory Services be adopted.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**CD&RS** - Your Committee, having under consideration the Rental Dwelling License held by Abdi Mohamud for property at 2808 Pillsbury Ave S, Minneapolis, and a hearing having been held before an Administrative Hearing Officer who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends approval of the recommendation to revoke said license for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, and that said Findings on file in the office of the City Clerk be adopted and made a part of this report by reference.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**CD&RS** – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 277597 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

(Published 10/21/2014)

**CD&RS** - Your Committee recommends that the proper City officers be authorized to enter into an interim Lease Agreement and other related documents with Building Materials Corporation of America (GAF) for a six-acre parcel at the southernmost end of the Upper Harbor Terminal site, consistent with the terms and conditions outlined in the Department of Community Planning & Economic Development staff report.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**CD&RS & W&M** – Your Committee, having under consideration receipt of Minnesota Department of Employment and Economic Development (DEED) grant awards, now recommends that the proper City officers be authorized to accept and appropriate the awards totaling \$800,000 for the Broadway Flats (\$300,000) and Downtown East (\$500,000) projects, and to execute grant, sub-recipient and/or disbursement and related documents and agreements for said grants.

Your Committee further recommends passage of Resolution 2014R-412 increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

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

**RESOLUTION 2014R-412  
By Goodman and Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, by increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900220) by \$300,000 and in the Grants Other Fund (01600-8900320) by \$500,000; and increasing the revenue source (01600-8900900-321515) by \$800,000.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

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

**HE&CE** - Your Committee, to whom was referred ordinances relating to Appendix C and Appendix D of the Minneapolis Code of Ordinances relating to gas and electric franchises, and having held a public hearing thereon, now recommends that the following ordinances be given their second reading for amendment and passage:

- a) Ordinance 2014-Or-082 repealing Appendix C of the Minneapolis Code of Ordinances relating to Minnegasco, Inc., Franchise;
- b) Ordinance 2014-Or-083 adding a new Appendix C1 relating to Centerpoint Energy Resources Corp., d/b/a Centerpoint Energy Minnesota Gas, Gas Franchise;
- c) Ordinance 2014-Or-084 adding a new Appendix C2 relating to Centerpoint Energy Resources Corp., d/b/a Centerpoint Energy Minnesota Gas, Gas Franchise Fee;
- d) Ordinance 2014-Or-085 repealing Appendix D of the Minneapolis Code of Ordinances relating to Northern States Power Company: Charge for Use of Streets;
- e) Ordinance 2014-Or-086 adding a new Appendix D1 relating to Northern States Power, d/b/a Xcel Energy, Electric Franchise; and
- f) Ordinance 2014-Or-087 adding a new Appendix D2 relating to Northern States Power, d/b/a Xcel Energy, Electric Franchise Fee.

Your Committee further recommends that the proper City officers be authorized to execute Clean Energy Partnership Memoranda of Understanding (MOUs) with Xcel Energy and Centerpoint Energy.

Further, that Sustainability staff be directed to begin work with utilities to implement the Clean Energy Partnership Board, Advisory Committee and related activities.

On roll call, the result was:

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

Noes: (0)

The report and ordinances were adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

(Published 10/21/2014)

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

**ORDINANCE 2014-Or-082**  
**By Gordon**  
**Intro & 1st Reading: 10/3/2014**  
**Ref to: HE&CE**  
**2nd Reading: 10/17/2014**

**Repealing Appendix C of the Minneapolis Code of Ordinances relating to Minnegasco, Inc., Franchise.**

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

Section 1. That Appendix C of the Minneapolis Code of Ordinances be and is hereby repealed.

**~~APPENDIX C MINNEGASCO, INC., FRANCHISE~~**

~~An ordinance granting Minnegasco, a division of Arkla, Inc., a Delaware corporation, its successors and assigns, a nonexclusive franchise to construct, operate, repair and maintain facilities and equipment for the transportation, distribution, manufacture and sale of gas energy for public and private use and to use the public ground of the City of Minneapolis, Minnesota for such purposes; and prescribing certain terms and conditions thereof.~~

~~Section 1. Definitions.~~

~~Section 2. Franchise Generally.~~

~~Section 3. Conditions of Use.~~

~~Section 4. Payments To City.~~

~~Section 4.2. Franchise Fee In Lieu of All Other Fees or Costs.~~

~~Section 5. Indemnification.~~

~~Section 6. Assignment.~~

~~Section 7. Change In Form of Government.~~

~~Section 8. Severability.~~

~~Section 9. Notices.~~

~~Section 10. Inspection of Records by City.~~

~~Section 11. Location in Streets and Public Ways.~~

**Section 1. Definitions.**

The following terms shall mean:

**1.1. Company.** ~~Minnegasco, a division of Arkla, Inc., a Delaware corporation, its successors and assigns.~~

**1.2. Gas.** ~~Natural gas, manufactured gas, mixture of natural gas and manufactured gas or other forms of gas energy.~~

**1.3. City, City Council, City Clerk.** ~~This term means respectively, the City of Minneapolis, the Council of the City of Minneapolis, and the Clerk of the City of Minneapolis.~~

**1.4. Public Ground.** ~~All streets, alleys, public ways, utility easements and public grounds of the City as to which it has the right to grant the use to the Company.~~

**Section 2. Franchise Generally.**

**2.1. Grant of Franchise.** ~~There is hereby granted to the Company, for a period of 23 years, the right to import, manufacture, transport, distribute and sell gas for public and private use in the City, and for these purposes to construct, operate, repair and maintain in, on, over, under and across the Public Ground of the City, all facilities and equipment used in connection therewith, and to do all things which are necessary or customary in the accomplishment of these objectives, subject to zoning ordinances, other applicable ordinances, permit procedures, customary practices, and the provisions of this franchise. This franchise shall replace and supersede the franchise dated January 1, 1970 between the City and the Company.~~

**2.2. Effective Date; Written Acceptance.** ~~This franchise shall be in force and effect on January 1, 1992, after its passage and publication as required by law, and its acceptance by the Company in writing filed with the City within 20 days after publication.~~

**2.3. Nonexclusive Franchise.** ~~This is not an exclusive franchise.~~

**2.4. Publication Expense.** ~~The expense of publication of this ordinance shall be paid by the Company.~~

**2.5. Default.** ~~If the Company is in default in the performance of any material part of this franchise for more than 90 days after receiving written notice from the City of such default, the City may, by ordinance, terminate all rights granted hereunder to the Company. The notice of default shall be in writing and shall specify the provisions of this franchise under which the default is claimed and state the basis therefor. Such notice shall be served on the Company by personally delivering the notice to an officer thereof at its principal place of business in Minnesota.~~

~~If the Company is in default as to any part of this franchise, the City may, after notice to the Company and the failure of the Company to cure the default within a reasonable time, take such action as may be reasonably necessary to abate the condition caused by the default, and the Company agrees to reimburse the City for all its reasonable costs.~~

~~Nothing in this section shall bar the Company from challenging the City's claim that a default has occurred.~~

**Section 3. Conditions of Use.**

**3.1. Use of Public Ground.** All utility facilities and equipment of the Company shall be located, constructed, installed and maintained so as not to endanger or unnecessarily interfere with the usual and customary traffic, travel, and use of Public Ground, and shall be subject to those permit conditions the City has adopted for all utilities.

**3.2. Restoration.** Upon completion of any work requiring the opening of any Public Ground, the Company shall pay the cost and cooperate with the City to restore the opening in the Public Ground, including paving and its foundations, to as good condition as formerly, insofar as reasonably possible. All restoration work performed will be in accordance with standards used by the City. The restoration shall be completed as promptly as possible to achieve quality restorations with the greatest efficiencies at the lowest cost to the citizens of the City and the Company's rate payers.

**3.3. Relocation of Utility Facilities.** The Company shall promptly, with due regard for seasonal working conditions, permanently relocate its facilities or equipment whenever the City orders such relocation. If the relocation is a result of the proper exercise of the police power in grading, regrading, changing the location or shape of or otherwise improving any Public Ground or constructing or reconstructing any sewer or water system therein, the relocation shall be at the expense of the Company. If the relocation is not a result of the proper exercise of the police power, the relocation shall be at the expense of the City. If such relocation is done without an agreement first being made as to who shall pay the relocation cost, such relocation of the facilities by the Company shall not be construed as a waiver of its right to be reimbursed for the relocation cost. If the Company claims that it should be reimbursed for such relocation costs, it shall notify the City within thirty (30) days after receipt of such order. The City shall give the Company reasonable notice of plans requiring such relocation.

Nothing contained in this subsection shall require the Company to remove and replace its mains or to cut and reconnect its service pipe running from the main to a customer's premises at its own expense where the removal and replacement or cutting and reconnecting is made for the purpose of a more expeditious operation for the construction or reconstruction of underground facilities; nor, shall anything contained herein relieve any person from liability arising out of the failure to exercise reasonable care to avoid damaging the Company's facilities while performing any work in any Public Ground.

**3.4. Relocation When Public Ground Vacated.** The vacation of any Public Ground shall not operate to deprive the Company of the right to operate and maintain its facilities therein. Unless ordered under Section 3.3, the Company need not relocate until the reasonable cost of relocating and the loss and expense of relocating resulting from such relocation are first paid to the Company. When the vacation is for the sole benefit of the City in the furtherance of a public purpose, the Company shall relocate at its own expense.

**3.5. Street Improvements, Paving or Resurfacing.** The City shall give the Company reasonable written notice of plans for street improvements where paving or resurfacing of a permanent nature is involved. The notice shall contain the nature and character of the improvements, the streets upon which the improvements are to be made, the extent of the improvements and the time when the City will start the work, and, if more than one street is

~~involved, the order in which this work is to proceed. The notice shall be given to the Company a sufficient length of time, considering seasonable working conditions, in advance of the actual commencement of the work to permit the Company to make any additions, alterations or repairs to its facilities the Company deems necessary.~~

#### **Section 4. Payments To City.**

~~**4.1. Franchise Fee.** During the term of the franchise hereby granted, and in lieu of any permit or other fees being imposed on the Company in relation to its operations as a public utility, the Company will pay monthly on or before the 25th of each month, a franchise fee to the City on the Company's gross revenues from gas sales and transportation operations in the City for each preceding calendar month.~~

~~The term "gross revenues" means all sums received by the Company for its sale or transportation of natural gas to customers within the City. For natural gas transported but not sold by the Company, "gross revenues" shall include only the revenues for the Company's transportation of natural gas and not the revenues for a third party's sale of natural gas to customers within the City.~~

~~The franchise fee will be assessed as follows:~~

~~1. For residential buildings with four (4) units or less, the Company will impose a fee as follows: 4% of gross revenue for gas sales and transportation for years 1-9; and 4.25% of gross revenues for gas sales and transportation for years 10-16; and 4.5% of gross revenues for gas sales and transportation for years 17-23.~~

~~2. For small volume commercial/industrial/firm or interruptible customers (daily usage of less than 2,000 ccf, including residential buildings with greater than four (4) units, and large volume firm customers (daily usage of 2,000 ccf or more), the Company will impose a fee as follows: 5% for the term of this franchise.~~

~~3. For large volume interruptible customers (daily usage of 2,000 ccf or more), the Company will impose a fee as follows:~~

~~3% for the term of this franchise; except, however, at such time as the City imposes a franchise fee or tax on all alternate, competing fuels, including but not limited to fuel oil, propane and coal, then the City may, with notice to Company, and without the Company's consent raise the franchise fee payable to the City to the same level as the franchise fee or tax imposed on alternate competing fuels, but in no event more than 5%.~~

#### **Section 4.2. Franchise Fee In Lieu of All Other Fees or Costs.**

~~This franchise fee shall be paid to the City in lieu of any other permit or licensing fees, charges, or costs imposed on the Company for providing gas service or performing work necessary to provide gas service in the City during the term of this franchise. The Company shall be required to pay only such other fees, charges, costs or taxes which are generally required to be paid by other businesses or persons in the City.~~

**Section 5. Indemnification.**

~~The Company shall indemnify, keep and hold harmless the City, its elected officials, officers, employees, and agents from any and all claims and actions on account of injury or death of persons or damage to property occasioned by the construction, maintenance, repair, removal, or operation of the Company's property located in, on, over, under, or across the Public Ground of the City, unless such injury or damage is the result of the negligence of the City, its elected officials, employees, officers, contractors or agents. The City shall not be entitled to reimbursement for its costs incurred prior to notification to the Company of claims or actions and a reasonable opportunity for the Company to accept and undertake the defense. The City shall reimburse the Company for damage to Company property caused by the City's negligence.~~

~~If a claim or action shall be brought against the City under circumstances where indemnification applies, the Company, at its sole cost and expense, shall defend the City if written notice of the claim or action is promptly given to the Company within a period wherein the Company is not prejudiced by lack of such notice. The Company shall have complete control of such claim or action, but it may not settle without the consent of the City, which shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City, and the Company in defending any action on behalf of the City shall be entitled to assert every defense or immunity that the City could assert in its own behalf.~~

**Section 6. Assignment.**

~~The Company, upon notice to the City shall have the right and authority to assign all rights conferred upon it by this franchise to any person. The assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this franchise.~~

**Section 7. Change In Form of Government.**

~~Any change in the form of government of the City shall not affect the validity of this franchise. Any governmental unit succeeding the City shall, without the consent of the Company, automatically succeed to all of the rights and obligations of the City provided in this franchise.~~

**Section 8. Severability.**

~~If any portion of this franchise is found to be invalid for any reason whatsoever, the validity of the rest of this franchise shall not be affected.~~

**Section 9. Notices.**

~~Any notice required by this franchise shall be sufficient if, in any case of notice to the Company, it is delivered to Minnegasco, attention Vice President, Minnesota Operations Division, 201 South Seventh Street, Minneapolis, Minnesota 55402; and, in the case of the City, it is delivered to the City of Minneapolis.~~

**Section 10. Inspection of Records by City.**

~~City shall have access at all reasonable times to inspect, examine or audit such accounts, books, records, reports, contracts, documents and papers of the Company relating to its utility operations in the City as necessary to verify the accuracy of the Company's franchise fee payments.~~

**Section 11. Location in Streets and Public Ways.**

~~The Company has filed with the City Engineer maps showing the location and size of all mains in its gas distribution system in the City. Each year hereafter the Company shall file maps showing any changes in or additions to said mains.~~

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

Approved by Mayor Hodges 10/17/2014.

**ORDINANCE 2014-Or-083**

**By Gordon**

**Intro & 1st Reading: 10/3/2014**

**Ref to: HE&CE**

**2nd Reading: 10/17/2014**

**Amending the Minneapolis Code of Ordinances by adding a new Appendix C-1 relating to Centerpoint Energy Resources Corp., d/b/a Centerpoint Energy Minnesota Gas, Gas Franchise.**

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

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

An ordinance granting Centerpoint Energy Resources Corp., d/b/a Centerpoint Energy Minnesota Gas ("Centerpoint Energy"), its successors and assigns, a nonexclusive franchise to construct, operate, repair, and maintain facilities and equipment for the transportation, distribution, manufacture, and sale of gas energy for public and private use and to use the public ways and grounds of the City of Minneapolis, Hennepin County, Minnesota, for such purpose, and prescribing certain terms and conditions thereof.

**Section 1. Definitions.**

For purposes of this Ordinance, the following capitalized terms listed in alphabetical order shall have the following meanings:

1.1 City Utility System. Facilities used for providing public utility service owned or operated by City or agency thereof, including, but not limited to, sewer, water, and storm water service.

1.2 Commission. The Minnesota Public Utilities Commission, or any successor agency or agencies, including an agency of the federal government, which preempts all, or part of the authority to regulate gas retail rates now vested in the Minnesota Public Utilities Commission.

1.3 Company. CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Minnesota Gas ("CenterPoint Energy") its successors and assigns including all successors or assigns that own or operate any part or parts of the Gas Facilities subject to this Franchise.

1.4 Franchise. The grant of rights made by the City to the Company in this Ordinance, subject to its terms and conditions.

1.5 Gas Energy. Gas Energy includes both retail and wholesale natural, manufactured or mixed gas.

1.6 Gas Facilities. Gas transmission and distribution pipes, lines, ducts, fixtures, and all necessary equipment and appurtenances owned or operated by the Company in the City for the purpose of providing Gas Energy for retail or wholesale use.

1.7 Gross Revenues. All gas distribution revenues received by the Company from retail customers of the Company who purchase, receive, or transport Gas Energy from or through the Company's Gas Facilities within the City. For Gas Energy transported but not sold by the Company, gross revenues shall include only the revenues for the Company's transportation of gas energy and not the revenues for a third party's sale of gas energy to customers within the City. Gross Revenue for the purposes of calculating the franchise fee imposed by Section 8, shall be subject to adjustment only as specifically provided in Section 8.3.

1.8 Notice. A written notice served by one party on the other party referencing one or more provisions of this Ordinance. Notice to Company shall be mailed or personally delivered to CenterPoint Energy, Minnesota Division Vice President, 800 LaSalle Avenue, Minneapolis, Minnesota 55402. Notice to the City shall be mailed or personally delivered to the City Coordinator, City Hall, 350 South Fifth Street, Minneapolis, MN 55415. Either party may change its respective address for the purpose of this Ordinance by written notice to the other party.

1.9 Public Ground. All real property for common use by the public that is owned by, controlled by, or dedicated to the City, for open space or similar purposes.

1.10 Public Way. The area on, below, or above a public roadway, highway, street, alley, cartway, bicycle lane, walkway, public sidewalk, or other public right-of-way, or other dedicated right-of-way for travel purposes and utility easements.

## **Section 2. Adoption of Franchise.**

2.1 Grant of Franchise. The City hereby grants the Company, for a period of ten (10) years, as further described in Section 11.3, from the date this Ordinance is passed and approved by the City, but not before January 1, 2015, the right to import, manufacture, distribute, and sell Gas Energy for public and private use within and through the limits of the City as its boundaries now exist or as they may be extended in the future, and also the right to transport Gas Energy through the limits of the City for use outside of the City limits. For these purposes, Company may construct, operate, repair, and maintain Gas Facilities in, on, over, under and across the Public Way and Public Ground, subject to the provisions of this Ordinance. The use of the Public Way and Public Ground by the Company and the regulation of the same by the City shall be consistent with state law and (a) shall be subject to reasonable regulations by the City Council, including, but not limited to, other applicable ordinances and permit procedures; (b) shall be consistent with the use of the Public Way for proper purposes by the public, by the City, by the public utilities, and others; and (c) shall be consistent with the use of Public Ground by the City and the public for the public purposes for which they are used and intended.

2.2 Option to Extend. Provided both parties agree, the term described in 2.1 may be extended up to two (2), five (5) year extension periods.

2.3 Other Authority. This Ordinance is intended to cover only the right of the Company to the use of the Public Way and the Public Ground for the purposes set for in Section 2.1. In all other respects this Ordinance is not intended in any way to affect or modify or surrender any powers now held by the City, or which may be hereafter granted to the City by the State Legislature, or to affect the powers of the State Legislature in dealing with the Company in authorizing taxation of the Company or its properties, in the regulation of its rates and charges, or in otherwise regulating or controlling the Company and its properties in all ways consistent with the Constitution of the United States and the Constitution of the State of Minnesota.

2.4 Not Exclusive. This Franchise is not exclusive.

2.5 Effective Date. This Franchise shall be in force and effect from and after the passage of this Ordinance and publication as required by law and upon the Company's duly authorized acceptance as executed within sixty (60) days after passage and publication of this Ordinance. The City, by Council resolution, may revoke this Franchise if Company does not file a written acceptance with the City within sixty (60) days after publication.

2.6 Annual Franchise Performance and Planning Meeting; Annual Reporting. Company and City shall meet annually to discuss items of concern or interest related to this Franchise, including, but not limited to, collaborative infrastructure planning, vegetation management, and reliability performance. Company shall annually provide to City reporting information on service reliability, infrastructure investments, capital improvements, customer usage and program participation, and other measures, as may be beneficial and mutually agreeable, the exact format and content of which shall be mutually agreed to by the City and Company.

2.7 Service and Rates. The terms and conditions of service and the rates to be charged by Company for Gas Energy in City are subject to the exclusive jurisdiction of the Commission.

2.8 Publication Expense. The expense of publication of this Ordinance will be paid by City and reimbursed to City by Company.

2.9 Dispute Resolution. If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party in writing of the default and the desired remedy. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used, or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in Hennepin County District Court to interpret and enforce this franchise or for such other relief as may be permitted by law or equity for breach of contract, or either party may take any other action permitted by law.

### **Section 3. Location, Other Regulations.**

3.1 Location of Facilities. Gas Facilities shall be located, constructed, and maintained in as safe and secure a manner as reasonably possible; in such a manner so as to not unnecessarily interfere with the safety and convenience of ordinary travel along and over Public Way or the public or governmental use thereof or the public or governmental use of Public Grounds; and so as not to disrupt normal operation of any City Utility System. Gas Facilities may be located on Public Grounds in a location accepted by the City. Company's construction, reconstruction, operation, repair, maintenance and location of Gas Facilities shall be subject to the provisions of

Chapters 429 – 430 of the Minneapolis Code of Ordinances and any other provisions of the Code as may be applicable and as they may be amended from time to time, and to such other regulations of the City consistent with authority granted the City to manage its Public Way and Public Ground under state law. This Franchise and other ordinances of the City shall be construed to give effect to all

provisions to the maximum extent possible. In the event of a direct conflict between provisions, the terms of this Franchise shall govern.

**3.2 Field Locations.** Company shall provide field locations for its underground Gas Facilities within City consistent with the requirements of Minnesota Statutes, Chapter 216D, Minnesota Rules, and City Ordinance Chapter 429.90.

**3.3 Street Openings.** Subject to Sections 3.1 and 3.4, Company or its authorized subcontractor, shall not open or disturb any Public Ground or Public Way for any purpose (the “Work”) without first having obtained the required permits from the City. In performing the Work, the Company shall obtain any required obstruction permit or lane use permit under Minneapolis Code of Ordinances Chapter 430. Failure of the Company to comply with the terms of the obstruction or lane use permit, which are directly attributable to the Company or its authorized subcontractor, and over which the Company or its authorized subcontractors have control, shall result in the imposition of a proportional charge of the obstruction or lane use permit fee as appropriate for the circumstance. This Section 3.3 does not apply to work for routine maintenance or storm restoration.

**3.4 Emergencies.** The requirements for obtaining permits from the City pursuant to Section 3.3 shall not apply when an emergency exists requiring the immediate repair of Gas Facilities to remedy a situation that jeopardizes the public health or safety. In an emergency, the Company shall notify the City by telephone and email to the office designated by the City before, if reasonably possible, commencing the emergency repair, but in any event as soon as practicable. Within two (2) business days after commencing the repair, the Company shall obtain any required permits and pay any required fees.

**3.5 Restoration.** Subject to the City’s right to restore the Public Way or Public Ground pursuant to Code of Ordinances, Section 430.70, and after performing the Work, the Company shall promptly and diligently restore the Public Ground or Public Way, including paving and its foundation, to the same condition that existed before the commencement of the work, removing all dirt, rubbish, equipment, and material, and maintaining any paved surface in good condition for one year thereafter (the “Restoration Work”). Company shall notify the City upon completion of the Restoration Work. If Company fails to promptly and fully complete the Restoration Work, then the City shall, after demand to Company to cure and the passage of a reasonable period of time following the demand, not to exceed five days, have the right to perform or arrange the Restoration Work at the expense of Company, including the City’s administrative expenses and overhead.

**3.6 Avoidance of Damage.** The Company must take reasonable measures to prevent the Gas Facilities from causing damage to persons or property. The Company must take reasonable measures to protect the Gas Facilities from damage that could be inflicted on the Gas Facilities by persons, property, or the elements. The Company and City must take protective measures consistent with State Statutes 216D.05 to avoid damage to and minimize interference with underground facilities when excavating or performing work. The Company shall be responsible for removal of graffiti from Gas Facilities. The Company shall provide notice to the City in the event that any City Utility System is damaged in performing the Work or the Restoration Work.

3.7 Public Improvements. The City must give Company reasonable advance notice of plans for improvements to Public Ground or Public Way when the City has reason to believe that Gas Facilities may affect or be affected by the improvement. The notice must contain, if known: (i) the nature and character of the improvements, (ii) the Public Ground and Public Way upon which the improvements are to be made, (iii) the extent of the improvements, (iv) the time when the City will start the work, and (v) if more than one Public Ground or Public Way is involved, the order in which the work is to proceed. In an emergency situation, the City shall notify the Company by telephone and email to the representative designated by the Company before, if reasonably possible, commencing the emergency work, but in any event as soon as practicable.

3.8 Compliance with Laws. Company shall not bring into the Public Way or Public Ground or permit to be brought into the Public Way or Public Ground any materials, substances, and wastes regulated as toxic or hazardous to health, natural resources, or the environment by the State of Minnesota, the United States government, or any other government authority with jurisdiction ("Hazardous Substances"). In the event Company brings Hazardous Substances into the Public Way or Public Ground (with or without the permission of the City), Company shall comply with all applicable laws, regulations, and lawful governmental orders of federal, state, and local governmental agencies related to such Hazardous Substances. The Company shall remove or remediate any Hazardous Substances caused or permitted by the Company to be located on, in, or surrounding the Public Way and Public Ground within the City in compliance with all applicable laws, regulations, and lawful governmental orders, and pay or cause to be paid all costs associated therewith. The indemnification terms and conditions of Section 6 shall apply to all claims made against City by any person, including any governmental agency, who or which asserts any right to costs, damages, or other relief based upon the terms and conditions imposed upon the Company under this Section 3.8 or which arise from or are related to the Company's acts or failure to act in compliance with any law, rule, regulation, or lawful order governing Hazardous Substances. The Company and City acknowledge that the intended purpose of this agreement is to authorize the Company to transport natural gas through its distribution system in the city of Minneapolis. Accordingly, to the extent that natural gas is transported through the Company's distribution system without spill, release or disposal in the Public Way or Public Ground, it shall not be considered a "Hazardous Substance" as defined herein.

#### **Section 4. Relocations.**

4.1 Relocation. The Company shall promptly and at its expense, with due regard for seasonal working conditions, permanently remove and relocate its facilities in the Public Way or Public Ground when it is necessary to prevent interference, and not merely for the convenience of the City, in connection with:

- (a) A present or future government use of the Public Way or Public Ground for a public project;
- (b) The public health or safety; or
- (c) The safety and convenience of travel over the right-of-way.

This Section 4.1 shall not constitute a taking by the City nor be construed as a waiver or modification of any easement or prescriptive rights acquired by the Company independent of and without reliance by the Company on this Franchise. Notwithstanding the foregoing, a right-of-way

user is not required to remove or relocate its facilities from a right-of-way that has been vacated in favor of a nongovernmental entity unless and until the reasonable costs to do so are first paid to the right-of-way user.

4.2 Relocation Within Five Years. Except in the event of a natural disaster, if the City orders a relocation of Gas Facilities within five years of ordering relocation of the same Gas Facilities at Company's expense, the City shall reimburse Company for non-betterment, actual costs on a time and material basis, without any markup. Provided, however, that if a subsequent relocation is required because of the extension of a City Utility System to a previously unserved area, Company will be required to relocate the Gas Facilities at its expense.

4.3 State Highway Projects. Relocation of Gas Facilities due to a federally-aided state trunk highway project shall be governed by the applicable provisions of Minnesota Statutes, Section 161.46, as may be amended.

## **Section 5. Indemnification.**

5.1 Indemnification. The Company will defend, indemnify, and hold harmless the City from all liability or claims of liability for bodily injury or death to persons, or for property damage, in which the claim alleges a negligent, wrongful act or omission of the Company or its employees, agents, or independent contractors in installing, maintaining, operating, or repairing the Company's facilities; and alleges that the City is liable, without alleging any independent negligent, wrongful, act or omission on the part of the City. Further, the Company will defend, indemnify, and hold harmless the City from all liability or claims of liability for bodily injury or death to persons, or for property damage, in which the claim is based on the City's negligent, wrongful act or omission in issuing the permit or in failing to properly or adequately inspect or enforce compliance with a term, condition, or purpose of the permit granted to the Company. However, the Company is not required to indemnify the City for losses or claims occasioned by the negligent or otherwise wrongful act or omission of the City.

5.2 Defense of City. In the event that the Company must indemnify the City against a claim, the Company at its sole cost and expense shall defend the City against such claim if the City provides written notice to the Company within a reasonable period wherein Company is not prejudiced by the lack of such notice. If Company is required to indemnify and defend, it will thereafter have control of such litigation, including selection of defense counsel. Company agrees, however, to consult in good faith with the City as to who will defend such claim. Company may not settle such claim without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City. The Company, in defending any claim on behalf of the City, shall be entitled to assert every defense or immunity that the City could assert in its own behalf.

## **Section 6. Vacation of Public Way and Public Ground.**

The City and the Company shall comply with Minneapolis Code of Ordinances 429.140 with respect to any request for vacating Public Way and Public Ground.

## **Section 7. Assignment.**

Neither party may assign this Franchise without the prior approval of the other party, which will not be unreasonably withheld. Notwithstanding the foregoing, if the Company merges with, is acquired by, or acquires another company, it reserves the right to assign this franchise.

**Section 8. Franchise Fee.**

8.1 Franchise Fee. As a condition of the Franchise, City imposes on the Company the obligation to pay a franchise fee to City. The franchise fee may be expressed (i) as a percentage of the Gross Revenues received by the Company for its operations within the City, or (ii) a flat fee per meter or (iii) in such other manner or fashion that is mutually acceptable to both the City and Company and shall be applied in a manner that does not place the Company at an economic disadvantage with another public utility as defined in Minnesota Statutes, Chapter 216B.

8.2 Initial Fee. The initial franchise fee shall be an amount equal to the percentage of that portion of the Company's annual Gross Revenues arising from its operations within the City, as follows:

For Residential service customers, four and one-half percent (4.5%) of Gross Revenues

For Large Volume Firm and Large Volume Dual Fuel customers, three percent (3%) of Gross Revenues

For all other customers, five percent (5%) of Gross Revenues.

a. For Large Volume Firm and Large Volume Dual Fuel) customers, in the event that the City imposes a franchise fee or tax on all alternate, competing fuels, including but not limited to fuel oil, propane and coal, then the City may, with notice to Company, and without the Company's consent raise the franchise fee payable to the City to the same level as the franchise fee or tax imposed on alternate competing fuels, but in no event more than 5% of Gross Revenues;

b. This franchise fee shall be paid to the City in lieu of any other permit or licensing fees, charges, or costs imposed on the Company for providing gas service or performing work necessary to providing gas service in the City's Public Ground or Public Way during the term of this Franchise. Company shall pay fees as provided in Section 3.3.

8.3 Fee Payment. The franchise fee shall be payable monthly and shall be based on the complete billing month for which payment is due. The payment shall be due 25 days after the end of the month for which the payment is due. The Company shall pay the City the franchise fee based upon the prevailing rate and as billed to the customer, but subject to subsequent adjustment in any of the following events: (i) if any amount so billed subsequently becomes uncollectible after reasonable efforts of collection by the Company or (ii) customer refunds incurred by the Company or any amounts the Company is unable to collect under Commission Rules or Order.

8.4 Separate Ordinance. (a) The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council (the "Fee Ordinance").

(b) The annual dollar amount of the franchise fee collected from a Company customer, or a reasonable estimate of the franchise fee that would be collected from a prospective Company customer, for gas service provided under this Franchise shall not be materially greater than the annual dollar amount of the franchise fee that would be collected for similar service to such customer by a new energy supplier under the terms of a new franchise, assuming comparable energy usage by said customer.

(c) For the purposes of this section only, the following terms shall have the meanings given. "Similar service" shall mean the supply of energy to a customer for the same end-use purpose or function as the gas which is or could be furnished by the Company. "New franchise" shall mean a franchise granted to a new energy supplier after January 1, 2015, or an amendment to an existing franchise held by another energy supplier January 1, 2015. "New energy supplier" shall mean a supplier of energy other than the company which begins supplying energy in the City Public Way after January 1, 2015.

(d) The City may waive the requirement under paragraph (b) if, after one month's notice to, and subsequent consultation with the Company, the City finds by resolution, in its sole discretion, that waiver is necessary to encourage economic development within the City related to small, clean or renewable energy projects or for other public purposes.

(e) The franchise fee may be changed by the City from time to time by ordinance; provided, however, such changes shall not occur more often than once within any twelve consecutive calendar months. The effective date of the franchise fee ordinance shall be no less than sixty (60) days after written Notice enclosing a copy of the duly adopted and approved ordinance has been served upon the Company by Certified mail. The Company is not required to collect a franchise fee if the terms of the Fee Ordinance are inconsistent with this Franchise or state law, provided the Company notifies the City Council of the same within the sixty (60) day period.

**8.5 No Waiver or Release.** No acceptance of any payment shall be construed as an accord that the payment made is in fact the correct amount, nor shall such acceptance of the payment be construed as a release of any claim that the City may have for further sums payable under the provisions of this Ordinance. All amounts paid shall be subject to audit and re-computation by the City.

**8.6 Fee Modification.** If for any reason the amount or rate of the franchise fee shall be determined to be in excess of the amount or rate allowed by law, then the amount or rate shall automatically, and without further action by the City, be reduced to the maximum amount or rate permitted by law.

**8.7 Challenge to Fee.** If any person challenges the collection or any aspect of the franchise fee or payment made to the City pursuant to this Franchise, the Company shall promptly provide notice of such challenge to City and shall, in any event, continue to diligently exercise its efforts to sustain the franchise fee and remitting of payments.

### **Section 9. Abandoned Facilities.**

Company shall notify the City of Company's intent to abandon or no longer use any Gas Facilities in the Public Way or Public Ground, including, but not limited to, any vaults or similar facilities. Company shall remove, at Company's sole expense, such abandoned or unused Gas Facilities when work is performed, if required in conjunction with other right-of-way, repair, excavation or reconstruction work, unless this requirement is waived by the City, unless the City Engineer or his or her designee provides written approval of such Gas Facilities remaining in place, upon such terms and conditions as the City deems appropriate.

**Section 10. Reports and Records.**

10.1 City shall have access at all reasonable times to inspect, examine or audit such accounts, books, records, reports, contracts, documents and papers of the Company relating to its utility operations in the City as necessary to verify the accuracy of the Company's franchise fee payments.

10.2 The Company shall provide to the City the annual information it provides to the Commission regarding customer complaints.

**Section 11. Provisions of Ordinance.**

11.1 Severability. Every section, provision, or part of this Ordinance is declared separate from every other section, provision, or part and if any section, provision, or part shall be held invalid, it shall not affect any other section, provision, or part.

11.2 Limitation on Applicability. This Ordinance constitutes a Franchise between the City and Company as the only parties, and no provision of this Franchise shall in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party beneficiary of the Franchise or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

11.3 Early Termination. The City may terminate the Franchise before the term provided in Section 2.1 only as provided in this Section. If the City asserts that Company is not working in good faith to honor its obligations under the Clean Energy Partnership Memorandum of Understanding ("MOU") incorporated by reference, the City shall notify Company in writing of the specific facts supporting its allegation, as well as the desired remedy ("Notice of Concerns"). Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the issues identified in the Notice of Concerns are not resolved within one hundred eighty days of Company's receipt of the Notice of Concerns, the parties must promptly and jointly select a mediator to facilitate further discussion and conduct non-binding mediation. The parties will equally share the fees and expenses of this mediator. If the parties are unable to resolve the issues identified within three hundred sixty-five days after Company's receipt of the Notice of Concerns, the City may terminate this Franchise by providing written notice of intent to terminate to Company at least twelve months before the effective termination date, provided that earliest date that the notice of intent to terminate may be sent is January 1, 2019. The City may terminate the Franchise only upon a vote of two-thirds of all the members of the City Council.

11.4 Point of Contact. Company shall provide City with the contact information of the person designated as the single point of contact for City on issues related to this Franchise, reliability and service issues, and other such matters. Company shall provide City with updated point of contact information as necessary during the term hereof.

**Section 12. Amendment-Procedure.**

Either party to this Franchise may at any time propose that the Franchise be amended to address a subject of concern and the other party will consider whether it agrees that the amendment is mutually appropriate.

**Section 13. Previous Franchises Superseded.**

This Ordinance supersedes any previous gas franchise granted to Company or its predecessor but not before January 1, 2015.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

**ORDINANCE 2014-Or-084**  
**By Gordon**  
**Intro & 1st Reading: 10/3/2014**  
**Ref to: HE&CE**  
**2nd Reading: 10/17/2014**

**Amending the Minneapolis Code of Ordinances by adding a new Appendix C-2 relating to the Centerpoint Energy Resources Corp., d/b/a Centerpoint Energy Minnesota Gas, Gas Franchise Fee.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Appendix C-2 to read as follows:

An ordinance implementing a gas energy franchise fee on Centerpoint Energy Minnesota Gas ("Centerpoint Energy") for providing gas energy service within the City of Minneapolis.

Article 1: Franchise Fee

Section 1.1 Consistent with Ordinance 2014-Or-083 and Minnesota law, a franchise fee is hereby imposed on CenterPoint Energy Minnesota Gas, its successors and assigns (the "Company"). The franchise fee shall be an amount equal to the percentage of that portion of the Company's annual Gross Revenues, as defined in Ordinance 2014-Or-083, arising from its operations within the City, as follows:

- a. For Residential service customers, four and one-half percent (4.5%) of Gross Revenues;
- b. For Large Volume Firm and Large Volume Dual Fuel customers, three percent (3%) of Gross Revenues;
- c. For all other customers, five percent (5%) of Gross Revenues;

Section 1.2 For Large Volume Firm and Large Volume Dual Fuel customers, in the event that the City imposes a franchise fee or tax on all alternate, competing fuels, including but not limited to fuel oil, propane and coal, then the City may, with notice to Company, and without the Company's consent raise the franchise fee payable to the City to the same level as the franchise fee or tax imposed on alternate competing fuels, but in no event more than 5% of Gross Revenues;

Section 1.3 This franchise fee shall be paid to the City in lieu of any other permit or licensing fees, charges, or costs imposed on the Company for providing gas service or performing work necessary to providing gas service in the City's Public Ground or Public Way during the term of this franchise. Company shall pay fees as provided in Section 3.3 of Ordinance 2014-Or-083.

Article 2: Fee Payment

Section 2.1 The franchise fee shall be payable according to Section 8.3 of Ordinance 2014-Or-083. All capitalized terms in this Fee Ordinance that are not defined herein shall have the same meaning as in Ordinance 2014-Or-083.

Section 2.2 Each payment shall be accompanied by a statement filed with the Finance Officer of the City showing the amount of Gross Revenues for the preceding billing month, the basis for the computation of the payment, and such other relevant facts to support the computation as may be requested by the City from time to time. The City shall have access at all reasonable times to inspect, examine or audit such accounts, books, records, documents and papers of the Company relating to its utility operations in the City as necessary to verify the accuracy of the Company's franchise fee payments.

Article 3: Effective Date

This Fee Ordinance shall be in force and effect from and after its passage and publication as required by law and upon the Company's duly authorized acceptance of the Franchise, as executed within sixty (60) days after passage and publication of the Franchise, but no earlier than January 1, 2015.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

**ORDINANCE 2014-Or-085**  
**By Gordon**  
**Intro & 1st Reading: 10/3/2014**  
**Ref to: HE&CE**  
**2nd Reading: 10/17/2014**

**Repealing Appendix D of the Minneapolis Code of Ordinances relating to Northern States Power Company: Charge for Use of Streets.**

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

Section 1. That Appendix D of the Minneapolis Code of Ordinances be and is hereby repealed.

~~**APPENDIX D NORTHERN STATES POWER COMPANY: CHARGE FOR USE OF STREETS**~~

~~AN ORDINANCE RELATING TO THE RIGHT OF NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, ENLARGE, OPERATE, REPAIR AND MAINTAIN, IN THE CITY OF MINNEAPOLIS,~~

~~MINNESOTA, ITS ELECTRIC DISTRIBUTION SYSTEM AND ELECTRIC TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, TOWERS, STRUCTURES, WIRES, CABLES, CONDUITS, AND OTHER FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRICITY TO THE CITY OF MINNEAPOLIS AND ITS INHABITANTS, AND OTHERS, AND TRANSMITTING ELECTRICITY FROM, INTO AND THROUGH THE CITY, AND TO USE THE STREETS, ALLEYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSES, AND REPEALING A CERTAIN ORDINANCE PASSED MARCH 12, 1971.~~

Section 1.

Section 2.

Section 3.

Section 4.

Section 5.

Section 6.

Section 7. Vacation of public ways.

Section 8. Tree trimming.

Section 9.

**Section 1.**

~~For the Company's use of the streets, alleys, and public grounds of the City from January 1, 1994 ("Commencement Date") until December 31, 2014 for the Company's electric distribution and electric transmission lines, the Company shall pay to the City on or before the 25th day of each calendar month, beginning March 1, 1994, as full compensation therefor, a franchise fee as defined and scheduled in Section 4 below. The last franchise fee payment shall be made on the 25th day of the month following the expiration of the franchise term.~~

~~In consideration of such franchise fee, the Company may, during said franchise period, construct, install, enlarge, operate, repair and maintain in, on, over, under and across the streets, alleys and public grounds of the City, an electric distribution system and electric transmission lines, including all poles, pole lines, towers, structures, wires, cables, conduits, lamps, transformers, and other fixtures and appurtenances, usually, conveniently or necessarily used in connection therewith, for the purpose of transmitting electricity into, from and through the City. The use of the streets by the Company shall be subject to reasonable regulations by the City Council and shall be consistent with the use of the streets for proper street purposes by the public, by the City, by the public utilities and others; and in the case of public grounds, shall be consistent with the use of said public grounds by the City and by the public for the public purposes for which they are used and intended.~~

**Section 2.**

~~This Ordinance is intended to cover only the right of the Company to the use of the City's streets, alleys and public grounds for the purposes set forth in Section 1 hereof. In all other respects this Ordinance is not intended in any way to affect or modify or surrender any powers now held by the City, or which may hereafter be granted to the City by the State Legislature, or to affect the powers of the State Legislature in dealing with the Company in authorizing taxation of the Company or its properties, in the regulation of its rates and charges, or in otherwise regulating or controlling the Company and its properties in all ways consistent with the Constitution of the United States and the Constitution of the State of Minnesota.~~

**Section 3.**

~~This Ordinance shall become effective January 1, 1994, provided that the Company by the Commencement Date shall have filed with the City Clerk a written consent by the Company to terms of the Ordinance after its adoption by the City Council and after publication of this Ordinance. All calculations and payments made under this Ordinance shall be made from February 1, 1994 whether or not the filing herein has been completed by January 1, 1994. The filing of such consent and the making of payments required by this Ordinance shall not be construed as a relinquishment or surrender by the Company to any rights it has or claims to have, independently of this Ordinance, to use the streets, alleys and public grounds of the City for the purposes set forth in Section 1 hereof, and shall not be construed to foreclose the Company from claiming, and exercising, after the expiration of this franchise, any such rights; this ordinance is a continuation of the agreement to forebear the assertion and adjudication of certain claims during the term of the franchise granted, as originally agreed to between City and Company by that certain ordinance passed December 23, 1954, and published December 31, 1954, and as continued by ordinance adopted March 12, 1971; and as continued by ordinance adopted March 8, 1991, and the enactment of this Ordinance shall not be considered in any way a relinquishment or surrender by the City of the power it claimed to have at the time prior to December 23, 1954, agreement to impose upon the Company a charge for the use of the City's streets, alleys and public grounds, except for the period and on the terms set forth in this Ordinance.~~

~~All rights and obligations under this Ordinance shall extend to the successors and assigns of the Company.~~

**Section 4.**

~~During the franchise term and in lieu of any other franchise or permit fees being imposed upon Company in relation to its operations as a public utility, the Company agrees to pay the City a percentage of the Company's gross revenues as defined and scheduled below.~~

~~The term "gross revenues" shall mean all sums received by the Company from the sale of electricity to its retail customers within the corporate limits of the City, excluding the surcharge for collecting the franchise fee herein imposed or sales or other tax collected by the Company from the customer. The Company may pay the City the fee based upon the surcharge billed, subject to subsequent reductions to account for uncollectibles or customer refunds. If the Public Utilities Commission orders a refund to customers, the City will be debited with the overpayment to the City caused by the Commission order. The Company is entitled to an on-going adjustment for uncollectibles for which a fee payment was made to the City based on uncollected bills. The amount of the franchise fee payable on the 25th day of the month will be based upon the Company's gross revenues for the preceding billing month to the extent required by the following schedule for each listed customer classification:~~

~~1. For residential service customers, the fee will be:~~

~~a. Five percent (5%) of gross revenues for the period of January 1, 1994, through December 31, 2012.~~

~~b. Four and one-half percent (4.5%) of gross revenues for the period January 1, 2013, through December 31, 2014.~~

~~2. For large (100kW or greater) commercial and industrial customers served at primary or higher voltages, the fee will be:~~

~~a. Five percent (5%) of gross revenues for the period of January 1, 1994, through December 31, 1997.~~

~~b. Four and one-half percent (4.5%) of gross revenues for the period of January 1, 1998, through December 31, 2000.~~

~~c. Three and three-tenths percent (3.3%) of the gross revenues for the period of January 1, 2001, through December 31, 2004.~~

~~d. Three percent (3%) of gross revenues for the period of January 1, 2005, through December 31, 2014.~~

~~3. For all small (less than 100kW) commercial and industrial customers, large (100kW or greater) commercial or industrial customers served at secondary voltage, and all remaining miscellaneous classifications, the fee will be:~~

~~a. Five and seventy-five hundredths percent (5.75%) of gross revenues for the period of January 1, 1994, through December 31, 2004.~~

~~b. Five percent (5%) of gross revenues for the period of January 1, 2005, through December 31, 2014.~~

~~At the time of each monthly payment, the Company shall file with the Finance Officer of the City a statement showing the amount of its gross revenues for the preceding billing month as a basis for the calculation of the sum of money due; and the Company shall furnish to said Finance Officer, not later than April 1st of the year, 1994 and of each year thereafter, a statement, certified by the Company's Controller or another officer of the Company, of the amount of the Company's gross operating revenues for the preceding calendar year. The City, at its option and expense, may verify through an independent auditor the information provided by such annual statement.~~

~~The foregoing franchise fee shall be paid to City in lieu of any other permit or licensing fees, charges, or costs imposed on Company for providing electric service or performing work necessary to provide electric service in the City during the term of this Ordinance. The Company shall be required to pay only such other fees, charges, costs or taxes which are generally required to be paid by other businesses or persons in the City.~~

**~~Section 5.~~**

~~The City has stated its intent to accommodate an objective of attempting to establish uniform fees or charges for the use of city streets for installing new facilities used to deliver electricity, gas, steam, hot water or other forms of energy to customers within the City. In no event shall NSP be required to collect a franchise fee from any class of customers in a greater amount than the permit fee or franchise fee percentage rate of the same or similar class of customers imposed by the City in any new franchise, or in any amendment of an existing franchise, granted to another energy supplier after the Commencement Date. Except as provided in this section and section 6, the provisions of Section 4 and the franchise fee schedule set forth therein shall prevail over any other provisions of this Ordinance.~~

~~The City is not bound to impose the scheduled franchise fees on the Company where the City finds, by resolution, in its sole discretion, that waiver of part or all of the fees are necessary to encourage economic development within the City or for other public purposes. Once fees are waived, the City, in its sole discretion, may reinstate part or all of the franchise fees in accordance with the above schedule.~~

**Section 6.**

~~The Company has agreed to collect and pay the franchise fee, set forth in Section 4, on the condition that the fee will not cause a customer to cease or reduce its electric energy purchases from the Company by modifying equipment, or installing new equipment, to use a form of energy (including electricity not purchased from Company) subject to a lesser or no fee payable by the energy supplier to City. It is agreed by City that Company, at its discretion and upon 20 days prior written notice to City, may agree with any customer to eliminate or reduce the franchise fee Company would otherwise collect to the amount, if any, of the fee imposed by City on the supplier of the energy the customer would use if certain specified equipment were used, modified or installed, but only to the extent the customer agrees to use electricity purchased from Company in lieu of such other energy available to the customer which is not subject to a City fee or which is subject to a lesser City fee.~~

~~The proposed reduction or elimination of the fee may become effective 20 days after the date of the above notice, unless the City Finance Officer delivers to Company, prior to such 20th day, a written statement objecting to the Company's proposed reduction or elimination of the fee. In the event the Finance Officer issues such a written statement of objection, the Company may appeal the objection to City Council by written notice to the City Clerk. Within 30 days of the Company's appeal, the City Council shall consider the City Finance Officer's objection and determine by resolution either to confirm or withdraw the Finance Officer's objection. If any reduction in fees occurs under this Section, the basis for the reduction may be reviewed annually at the request of City to assure such reduction continues to be warranted.~~

**Section 7. Vacation of public ways.**

~~The City shall give the Company at least two weeks' prior written notice of a proposed vacation of a public way. Except where required solely for a City improvement project, the vacation of any public way, after the installation of electric facilities, shall not operate to deprive Company of its rights to operate and maintain such electrical facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to the Company for failure to specifically preserve a right-of-way, under Minnesota Statutes, Section 160.29.~~

**Section 8. Tree trimming.**

~~Company is also granted the permission and authority to trim all trees and shrubs in the streets, alleys and public ways of City as may be necessary to avoid interference with the proper construction, operation, repair and maintenance of any poles, pole lines, and fixtures or appurtenances installed in pursuance of the authority hereby granted, provided that the Company shall obtain such further permission or authority from the Minneapolis Park and Recreation Board (the "Park Board") as shall be required from time to time and provided that the Company shall save the City and Park Board harmless from any liability in the premises.~~

**Section 9.**

~~Upon this Ordinance becoming effective, the ordinance passed March 8, 1991, entitled: "An ordinance relating to the right of Northern States Power Company, a Minnesota Corporation, its successors and assigns, to construct, install, enlarge, operate, repair and~~

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~~maintain in the City of Minneapolis, Minnesota, its electric distribution system and electric transmission lines, including necessary poles, pole lines, towers, structures, wires, cables, conduits, and other fixtures and appurtenances, for the furnishing of electricity from, into and through the City, and to use the streets, alleys and public grounds of said City for such purposes and repealing a certain ordinance passed March 12, 1971", shall be hereby repealed and the Company shall be relieved and discharged of any and all obligations and liabilities which may have arisen or accrued thereunder after payment of the final franchise fee collected thereunder on February 25, 1994, it being the intent of the City and the Company that this Ordinance shall in all respects replace said ordinance of March 8, 1991.~~

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

**ORDINANCE 2014-Or-086**  
**By Gordon**  
**Intro & 1st Reading: 10/3/2014**  
**Ref to: HE&CE**  
**2nd Reading: 10/17/2014**

**Amending the Minneapolis Code of Ordinances by adding a new Appendix D-1 relating to Northern States Power, d/b/a Xcel Energy, Electric Franchise.**

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

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

An ordinance granting to Northern States Power Company, a Minnesota Corporation, d/b/a Xcel Energy, its successors and assigns, permission to construct, operate, repair and maintain in the city of Minneapolis Minnesota, an electric distribution system and transmission lines, including necessary poles, lines, fixtures and appurtenances, for the furnishing of electric energy to the city, its inhabitants, and others, and to use the public grounds and public ways of the city for such purposes.

**Section 1. Definitions.**

For purposes of this Ordinance, the following capitalized terms listed in alphabetical order shall have the following meanings:

1.1 City Utility System. Facilities used for providing public utility service owned or operated by City or agency thereof, including, but not limited to, sewer, water, and storm water service.

1.2 Commission. The Minnesota Public Utilities Commission, or any successor agency or agencies, including an agency of the federal government, which preempts all, or part of the authority to regulate electric retail rates now vested in the Minnesota Public Utilities Commission.

1.3 Company. Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns.

1.4 Electric Facilities. Electric transmission and distribution towers, poles, lines, guys, anchors, conduits, fixtures, and necessary appurtenances owned or operated by Company within the City for the purpose of providing electric energy for public use.

1.5 Franchise. The grant of rights made by the City to the Company in this Ordinance, subject to the terms and conditions of this Ordinance.

1.6 Gross Revenues. All sums received by the Company from the sale of electricity to its retail customers within the cooperate limits of the City. Gross Revenues for the purposes of calculating the franchise fee imposed by Section 9 shall be subject to adjustment only as specifically provided in Section 9.3.

1.7 Notice. A written notice served by one party on the other party referencing one or more provisions of this Ordinance. Notice to Company shall be mailed or personally delivered to the General Counsel, 414 Nicollet Mall, 5<sup>th</sup> Floor, Minneapolis, MN 55401. Notice to the City shall be mailed or personally delivered to the City Coordinator, City Hall, 350 South Fifth Street, Minneapolis, MN 55415. Either party may change its respective address for the purpose of this Ordinance by written notice to the other party.

1.8 Public Ground. All real property for common use by the public that is owned by, controlled by, or dedicated to the City for open space or similar purposes.

1.9 Public Way. The area on, below, or above a public roadway, highway, street, alley, cartway, bicycle lane, walkway, public sidewalk, or other public right-of-way, or other dedicated right-of-way for travel purposes and utility easements of the City.

## **Section 2. Adoption of Franchise.**

2.1 Grant of Franchise. The City hereby grants the Company, for a period of ten (10) years, as further described in Section 11.3, from the date this Ordinance is passed and approved by the City, the right to transmit and furnish electric energy for light, heat, power and other purposes for public and private use within and through the limits of the City, as its boundaries now exist or as they may be extended in the future. For these purposes, the Company may construct, operate, repair and maintain Electric Facilities in, on, over, under, and across the Public Way and Public Ground within the City, subject to the provisions of this Ordinance. The use of the Public Way and Public Ground by the Company and the regulation of the same by the City shall be consistent with state law and (a) shall be subject to reasonable regulations by the City Council, including, but not limited to, applicable ordinances and permit procedures; (b) shall be consistent with the use of the Public Way for proper purposes by the public, by the City, by the public utilities, and others; and (c) shall be consistent with the use of the Public Ground by City and the public for the public purposes for which they are used and intended.

2.2 Option to Extend. Provided both parties agree, the term described in 2.1 may be extended up to two (2), five (5) year extension periods.

2.3 Other Authority. Other than giving the Company the right to use the Public Way and Public Ground, this Ordinance is not intended in any way to affect or modify or surrender any powers held by the City.

2.4 Effective Date. This Franchise shall be in force and effect from and after the passage of this Ordinance and publication as required by law and upon the Company's duly authorized acceptance as executed within sixty (60) days after passage and publication of this Ordinance. The City, by Council resolution, may revoke this Franchise if Company does not file a written acceptance with the City within sixty (60) days after publication.

2.5 Annual Franchise Performance and Planning Meeting; Annual Reporting. Company and City shall meet annually to discuss items of concern or interest related to this Franchise, including, but not limited to, collaborative infrastructure planning, vegetation management and reliability performance. Company shall annually, upon City's request, provide to City reporting information on service reliability, including System Average Interruption Duration Index (SAIDI) and other measures as may be beneficial and mutually agreeable, such as Customers Experiencing Multiple Interruptions (CEMI) or other outage data, infrastructure investments and capital improvements, and customer usage and program participation, the exact format and content of which shall all be mutually agreed to by City and Company.

2.6 Service and Rates. The service to be provided and the rates to be charged by Company for electric service in City are subject to the jurisdiction of the Commission. The area within the City in which Company may provide electric service is subject to the provisions of Minnesota Statutes, Section 216B.40.

2.7 Publication Expense. The expense of publication of this Ordinance will be paid by City and reimbursed to City by Company.

2.8 Dispute Resolution. If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party in writing of the default and the desired remedy. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used, or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in Hennepin County District Court to interpret and enforce this franchise or for such other relief as may be permitted by law or equity for breach of contract, or either party may take any other action permitted by law.

### **Section 3. Location, Other Regulations.**

3.1 Location of Facilities. Electric Facilities shall be located, constructed, and maintained so as to not unreasonably interfere with the safety and convenience of ordinary travel along and over Public Way and so as not to disrupt normal operation of any City Utility System. Electric Facilities shall be located on Public Grounds as determined by the City. Company's construction, reconstruction, operation, repair, maintenance and location of Electric Facilities shall be subject to permits if required by the Minneapolis Code of Ordinances as they may be amended from time to time, and to such other reasonable regulations of the City consistent with authority granted the City to manage its Public Way and Public Ground under state law.

3.2 Field Locations. Company shall provide field locations for its underground Electric Facilities within City consistent with the requirements of Minnesota Statutes, Chapter 216D.

3.3 Street Openings. Subject to Sections 3.1 and 3.4, Company, or its authorized subcontractor, shall not open or disturb any Public Ground or Public Way for any purpose (the "Work") without first having obtained the required permits from the City. In performing the Work, the Company shall obtain any required obstruction permit or lane use permit under Minneapolis Code of Ordinances Chapter 430, and shall pay no fees therefor, except as follows. Failure of the Company to comply with the terms of the obstruction or lane use permit, which are directly attributable to the Company or its authorized subcontractor, and over which the Company or its authorized subcontractor has control, shall result in the imposition of a proportional charge of the obstruction or lane use permit fee as appropriate for the circumstance. This Section 3.3 does not apply to work for routine maintenance, storm restoration or tree trimming purposes. During the progress of the Work, the Company shall post signage identifying the Work as performed on behalf of the Company.

3.4 Emergencies. The requirements for obtaining permits from the City pursuant to Section 3.3 shall not apply when an emergency exists requiring the immediate repair of Electric Facilities. In an emergency, the Company shall notify the City by telephone and email to the office designated by the City before, if reasonably possible, commencing the emergency repair, but in any event as soon as practicable. Within two (2) business days after commencing the repair, the Company shall obtain any required permits and pay any required fees.

3.5 Restoration. After performing the Work, the Company shall, as promptly as weather permits, restore the Public Way in accordance with Minnesota rules, Part 7819.1100 and applicable City ordinances to the extent consistent with law. Company shall restore the Public Ground to as good a condition as formerly existed, remove all dirt, rubbish, equipment and shall maintain any paved surface in good condition for two years thereafter (the "Restoration Work"). If Company fails to promptly, as weather permits, complete the Restoration Work, then the City shall, after demand to Company to cure and the passage of a reasonable period of time following the demand, not to exceed five days, have the right to perform or arrange the Restoration Work at the expense of Company.

3.6 Avoidance of Damage. The Company shall determine and implement reasonable measures to prevent the Electric Facilities from causing damage to persons or property and to protect the Electric Facilities from damage that could be inflicted on the Electric Facilities by persons, property, or the elements. The Company and City must take protective measures consistent with State Statutes 216D.05 to avoid damage to and minimize interference with underground facilities when excavating or performing work. The Company shall be responsible for removal of graffiti from Electric Facilities. The Company shall provide notice to the City in the event that any City Utility System is damaged in performing the Work or Restoration Work.

3.7 Public Improvements. The City must give Company reasonable notice of plans for improvements to Public Grounds or Public Way when the City has reason to believe that Electric Facilities may affect or be affected by the improvement. The notice must contain, if known: (i) the nature and character of the improvements, (ii) the Public Ground and Public Way upon which the improvements are to be made, (iii) the extent of the improvements, (iv) the time when the City will start the work, and (v) if more than one Public Ground or Public Way is involved, the order in which the work is to proceed. In an emergency situation, the City shall notify the Company by telephone and email to the representative designated by the Company before, if reasonably possible, commencing the emergency work, but in any event as soon as practicable.

3.8 Shared Use of Poles. Company shall make space available on its poles or towers for City fire, water utility, police or other City facilities upon terms and conditions mutually acceptable to the parties whenever such use will not interfere with the use of such poles or towers by Company, by

another electric utility, by a telephone utility, or by any cable television company or other form of communication company. In addition, the City shall pay for any added cost incurred by the Company because of such use by the City.

**3.9 Compliance with Laws.** In its operations under this Ordinance, the Company shall observe all applicable federal, state, and local laws, rules, regulations, and orders with respect to the transmission, distribution, transformation, or furnishing of electric energy. Company shall not release, spill or dispose in the Public Way or Public Ground or permit to be released, spilled or disposed in the Public Way or Public Ground any materials, substances, and wastes regulated as toxic or hazardous to health, natural resources, or the environment by the State of Minnesota, the United States, or any other applicable government authority with jurisdiction ("Hazardous Materials"). In the event Company releases, spills or disposes Hazardous Materials in the Public Way or Public Ground, Company shall comply with all applicable laws, regulations, and lawful governmental orders of federal, state, and local governmental agencies related to such Hazardous Materials. The Company shall remove or remediate any Hazardous Materials caused or permitted by the Company to be released, spilled or disposed on, in, or immediately adjacent to the Public Way and Public Ground within the City in compliance with all applicable laws, regulations, and lawful governmental orders, and pay or cause to be paid all costs associated therewith, but Company shall not be responsible for removing or remediating any pre-existing Hazardous Materials encountered in the Public Way or Public Ground within the City. The indemnification terms and conditions of Section 6 shall apply to all claims made against City by any person, including any governmental agency, who or which asserts any right to costs, damages, or other relief which arise solely or directly from the Company's negligent acts or failure to act in compliance with any law, rule, regulation, or lawful order governing Hazardous Materials.

#### **Section 4. Relocations.**

**4.1 Relocation.** The Company shall promptly and at its expense, with due regard for seasonal working conditions, permanently remove and relocate its facilities in the Public Way or Public Ground when it is necessary to prevent interference, and not merely for the convenience of the City, in connection with:

- (a) A present or future government use of the Public Way or Public Ground for a public project;
- (b) The public health or safety; or
- (c) The safety and convenience of travel over the right-of-way.

This Franchise shall not be construed as a waiver or modification of any easement or prescriptive rights acquired by the Company independent of and without reliance by the Company on this Franchise, or the Company's rights under state or county permit.

**4.2 Relocation Within Five Years.** Except in the event of a natural disaster, if the City orders a relocation of Electric Facilities within five years of ordering relocation of the same Electric Facilities at Company's expense, the City shall reimburse Company for non-betterment, actual costs on a time and material basis, without any markup. Provided, however, that if a subsequent relocation is required because of the extension of a City Utility System to a previously unserved area, Company will be required to relocate the Electric Facilities at its expense.

**4.3 Projects with Federal Funding.** The City acknowledges that the Company may request reimbursement for utility relocation costs from federal and/or state sources. The City will not

object to the Company's requests for reimbursement from federal or state sources provided such costs do not directly or indirectly reduce funds available to the City from these sources or reduce funds for projects that will benefit the City. The City reserves its right to oppose the Company's requests if the City has a reasonable basis to believe such a request will negatively impact the feasibility of a project, or negatively affect the City as described above. Relocation of Electric Facilities due to a federally-aided state trunk highway project shall be governed by the applicable provisions of Minnesota Statutes, Section 161.46, as may be amended.

**Section 5. Tree Trimming.**

Company may trim all trees and shrubs in the Public Ground and Public Way of City as Company finds may be necessary to avoid interference with the proper construction, operation, repair, and maintenance of any Electric Facilities installed hereunder; provided that Company shall be subject to permit or other reasonable regulation by the City and the Minneapolis Park and Recreation Board (the "Park Board") and provided that the Company shall hold harmless the City and Park Board from any liability arising therefrom. The Company agrees to work cooperatively with the Park Board regarding the trimming and removal of trees and shrubs.

**Section 6. Indemnification.**

6.1 Indemnity of City. If any claim is made against the City for injury to persons or property from the acts or failure to act by the Company, its agents, officials, or employees arising out of the construction, maintenance, repair, inspection, the issuance of permits, or the operation of Electric Facilities under and pursuant to this Franchise, the Company shall fully indemnify, keep, and hold free and harmless from any and all liability the City from any and all such claims. The City shall not be indemnified for that portion of any losses or claims arising from its own negligence except for losses or claims arising out of or alleging the City's negligence as to the issuance of permits, inspections, or supervision under this Franchise.

6.2 Defense of City. In the event that the Company must indemnify the City against a claim, the Company at its sole cost and expense shall defend the City against such claim if the City provides written notice to the Company within a reasonable period wherein Company is not prejudiced by the lack of such notice. If Company is required to indemnify and defend, it will thereafter have control of such litigation, including selection of defense counsel. Company agrees, however, to consult in good faith with the City as to who will defend such claim. Company may not settle such claim without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City. The Company, in defending any claim on behalf of the City, shall be entitled to assert every defense or immunity that the City could assert in its own behalf.

**Section 7. Vacation of Public Way.**

The City shall give Company at least two weeks prior written notice of a proposed vacation of Public Way. The City and the Company shall comply with Minnesota Rule 7819.32.00 with respect to any request for vacation. In no case, however, shall City be liable to Company for failure to specifically preserve a right-of-way under Minnesota Statutes, Section 160.29.

**Section 8. Assignment.**

Neither party may assign this Franchise without the prior approval of the other party. Notwithstanding the foregoing, if the Company merges with, is acquired by, or acquires another company, it reserves the right to assign this franchise.

**Section 9. Franchise Fee.**

9.1 Franchise Fee. During the term of this franchise, and, in lieu of any permit or other fees being imposed on the Company, City imposes on the Company a franchise fee by collecting the amounts indicated in a fee schedule set forth in a separate ordinance from each customer in the designated customer class. The franchise fee may be expressed (i) as a specified charge per measurable unit of electricity being provided, transported, transmitted, sold, furnished, delivered, or received within the City, or (ii) as a percentage of the Gross Revenues received by the Company for its operations within the City, or (iii) a flat fee per customer based on service to retail customers within the City, or (iv) in such other manner or fashion as the City and the Company may determine.

9.2 Initial Fee. The initial franchise fee shall be an amount equal to the percentage of that portion of the Company's annual Gross Revenues arising from its operations within the City, as follows:

- a. For residential service customers, four and one-half percent (4.5%) of Gross Revenues;
- b. For large (100kW or greater) commercial and industrial customers served at primary or higher voltages, three percent (3%) of Gross Revenues;
- c. For small (less than 100kW) commercial and industrial customers, large (100kW or greater) commercial or industrial customers served at secondary voltage, and all remaining classifications, five percent (5%) of Gross Revenues.

The franchise fees shall be in lieu of permit or other fees being imposed on Company under City Ordinances. Company shall pay fees as provided in Section 3.3.

9.3 Fee Payment. The franchise fee shall be payable monthly and shall be based on the amount collected by the Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer classification in all customer billings for electric service in each class. The payment shall be due 25 days after the end of the month for which the payment is due. The time and manner of collecting the franchise fee is subject to the approval of the Commission. No franchise fee shall be payable by the Company if the Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in the Company's applicable rates for electric services. The Company may pay the City the fee based upon the surcharge billed subject to reductions to account for uncollectibles, refunds and correction of erroneous billings. The Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers.

9.4 Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council (the "Fee Ordinance") which shall not be adopted until at least 60 days after written notice enclosing such proposed ordinance has been served upon the Company by certified mail. The fee Ordinance shall not become effective until the beginning of a Company billing month at least 60 days after written notice enclosing such adopted ordinance has been serviced upon Company by certified mail. Section 2.8 shall constitute the sole remedy for solving disputes between the Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. The Fee Ordinance may be changed by the City from time to time by ordinance; provided, however, such changes shall not occur more often than once within any twelve consecutive calendar months and shall be effective upon the same notice requirements.

9.5 Equivalent Fee Requirement. (a) *Other energy franchises*. The annual dollar amount of the franchise fee collected from a Company customer, or a reasonable estimate of the franchise fee that would be collected from a prospective Company customer, for electric service provided under this franchise shall not be materially greater than the annual dollar amount of the franchise fee that would be collected for similar service to such customer by a new energy supplier under the terms of a new franchise assuming comparable energy usage by said customer.

(b) *Definitions*. For the purposes of this section only, the following terms shall have the meanings given. "Similar service" shall mean the supply of energy to a customer for the same end-use purpose or function as the electricity which is or could be furnished by the Company. "New franchise" shall mean a franchise granted to a new energy supplier after January 1, 2015, or an amendment to an existing franchise held by another energy supplier January 1, 2015. "New energy supplier" shall mean a supplier of energy other than the company which begins supplying energy in the City Public Way after January 1, 2015.

(c) *Waiver*. The City may waive the requirement under paragraph (a) if, after one month's notice to and subsequent consultation with the Company, the City finds, by resolution, in its sole discretion, that waiver is necessary to encourage economic development within the City related to small, clean or renewable energy projects or for other public purposes. Once the requirement is waived, the City, in its sole discretion, may reinstate it at any time. If the Company consents in writing to a new franchise or separate ordinance collecting or failing to collect a fee from a new energy supplier in contravention of this section, the conditions of this section will be waived to the extent of such written consent.

9.6 *Fee Modification*. If for any reason the amount or rate of the franchise fee shall be determined to be in excess of the amount or rate allowed by law, then the amount or rate shall be reduced to the maximum amount or rate permitted by law.

## **Section 10. Reports and Records.**

10.1 City shall be accorded the right, during normal business hours, to inspect, examine or audit, and copy the books and records of the Company, which relate to the Company's operations in the City, or upon City's request in writing to provide such information relating to the Company's operations in City, and which is collected and maintained by the Company in the ordinary course of its business, as City may reasonably designate, to verify the accuracy of the Company's franchise fee payments, provided, that customer-specific information must remain confidential. Any such information shall be provided in a manner consistent with all applicable laws, regulations and Commission orders.

10.2 Company shall provide City the location of Company-owned street lights within the City, to be updated at least annually.

**Section 11. Provisions of Ordinance.**

11.1 Severability. Every section, provision, or part of this Ordinance is declared separate from every other section, provision, or part and if any section, provision, or part shall be held invalid, it shall not affect any other section, provision, or part. This Franchise and other ordinances of the City shall be construed to give effect to all provisions to the maximum extent possible. In the event of a direct conflict between the provisions, the terms of this Franchise shall govern.

11.2 Limitation on Applicability. This Ordinance constitutes Franchise between the City and Company as the only parties, and no provision of this Franchise shall in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party beneficiary of the Franchise or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

11.3 Termination. The City may terminate this Franchise by providing written notice to the Company at least twelve (12) months before the effective termination date (“termination notice”); provided, however, that the earliest date of a termination notice is January 1, 2019. In no event shall this Franchise exceed ten (10) years from the Effective Date. The City may terminate the Franchise only upon a vote of two-thirds of all the members of the City Council.

11.4 Point of Contact. Company shall provide City with the contact information of the person designated as the single point of contact for City on issues related to this Franchise, reliability and service issues, and other such matters. Company shall provide City with updated point of contact information as necessary during the term hereof.

**Section 12. Amendment Procedure.**

Either party to this Franchise may at any time propose that the Franchise be amended to address a subject of concern and the other party will consider whether it agrees that the amendment is mutually appropriate. If an amendment is agreed upon, this Ordinance may be amended at any time by the City passing a subsequent ordinance declaring the provisions of the amendment, which amendatory ordinance shall become effective upon the filing of the Company’s written consent thereto with the City Clerk within 90 days after the date of final passage by the City of the amendatory ordinance.

**Section 13. Previous Franchises Superseded.**

This Ordinance supersedes any previous electric franchise granted to Company or its predecessor.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

OCTOBER 17, 2014

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**ORDINANCE 2014-Or-087**  
**By Gordon**  
**Intro & 1st Reading: 10/3/2014**  
**Ref to: HE&CE**  
**2nd Reading: 10/17/2014**

**Amending the Minneapolis Code of Ordinances by adding a new Appendix D-2 relating to the Northern States Power, d/b/a Xcel Energy, Electric Franchise Fee.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Appendix D-2 to read as follows:

An ordinance implementing an electric service franchise fee on Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, for providing electric service within the City Of Minneapolis.

Article 1: Franchise Fee

Section 1.1 Consistent with Ordinance 2014-Or-086 Minnesota law, a franchise fee is hereby imposed on Northern States Power Company d/b/a Xcel Energy, its successors and assigns (the "Company"). The franchise fee shall be an amount equal to the percentage of that portion of the Company's annual Gross Revenues, as defined in Ordinance 2014-Or-086, arising from its operations within the City, as follows:

- a. For residential service customers, four and one-half percent (4.5%) of Gross Revenues;
- b. For large (100kW or greater) commercial and industrial customers served at primary or higher voltages, three percent (3%) of Gross Revenues; and
- c. For small (less than 100kW) commercial and industrial customers, large (100kW or greater) commercial or industrial customers served at secondary voltage, and all remaining miscellaneous classifications, five percent (5%) of Gross Revenues.

Section 1.2 For any other customer classes not included in Section 1.1 or modified by the Company in its electric tariffs on file with the Minnesota Public Utilities Commission, the franchise fee shall be five percent (5%) of Gross Revenues.

Article 2: Fee Payment

Section 2.1 The franchise fee shall be payable according to Section 9.3 of Ordinance 2014-Or-086.

Section 2.2 The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of City residents to reimburse Company for the cost of the fee.

Article 3: Effective Date

This Ordinance shall be effective immediately upon its passage and publication according to law. Collection of the franchise fees shall commence with the Company January 2015 billing month.

Article 4: Enforcement

Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.8 of Ordinance 2014-Or-086.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

**HE&CE** - Your Committee recommends confirmation of the Mayoral appointment of Jesus Perez (Ward 8) to the Homegrown Minneapolis Food Council effective immediately and expiring December 21, 2015 (filling the unexpired term of Mustafa Sundiata).

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**HE&CE** - Your Committee recommends passage of Resolution 2014R-413 recognizing October 24, 2014, as Food Day in the City of Minneapolis.

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

**RESOLUTION 2014R-413**

**By Gordon**

**Recognizing Friday, October 24, 2014, as Food Day in Minneapolis.**

Whereas, Food Day is a nationwide celebration and a movement for healthy, affordable, and sustainable food; and

Whereas, sharing meals as a family can help children improve academic achievement and language development and reduce risks of childhood obesity and substance abuse; and

Whereas, organizations across the City of Minneapolis are encouraging Minneapolis residents to take the "Minne-Apple Crunch"; and

Whereas, the Health Department's Healthy Living initiative and related initiatives help improve access to affordable, nutritious foods for low-income residents and communities of color in neighborhoods, schools, worksites, and other settings; and

Whereas, Minneapolis Public Schools is serving a regionally-sourced meal featuring chicken drumsticks, roasted potatoes, and a local apple in partnership with six other large, urban school districts in the upper-Midwest, including Saint Paul; and

Whereas, local dignitaries will join students at Loring Elementary School to participate in the “Minne-Apple Crunch” and bite into a local apple together at noon on Food Day; and

Whereas, the University of Minnesota will be celebrating Food Day with an event in the Recreation and Wellness Center, which will include exhibits, food demonstrations and tasting sessions; and

Whereas, the City’s Homegrown Minneapolis initiative works to expand our community’s ability to grow, process, distribute, eat and compost more healthy, sustainable, locally grown foods; and

Whereas, in 2011 the City of Minneapolis established a Minneapolis Food Council to help the city develop policies and strategies to improve the growing, processing, promotion, distribution, consumption and composting of healthy, sustainable, locally grown foods in Minneapolis; and  
Whereas, the City of Minneapolis has adopted goals to increase the proportion of adults at a healthy weight, and increase access to healthy foods;

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

That the City of Minneapolis recognizes October 24, 2014, as Food Day in the City of Minneapolis.

Be It Further Resolved that the City of Minneapolis encourages all Minneapolis residents to participate in the “Minne-Apple Crunch” and enjoy a delicious, locally grown apple.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

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

**HE&CE & W&M** - Your Committee, having under consideration Hennepin County’s “Second 7.5%” Neighborhood Revitalization Program (NRP) funds, now recommends:

- a) Approving the use of \$13,000 of the funds to address homelessness in the downtown community for the Downtown Minneapolis Neighborhood/Downtown Minneapolis Neighborhood Association (DMNA);
- b) Passage of Resolution 2014R-414 increasing the appropriation in the Neighborhood and Community Relations Agency in the Neighborhood Revitalization Program Fund by \$13,000 from existing fund balance; and
- c) Authorizing the proper City officers to enter into any contracts or agreements necessary to implement the request.

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

**RESOLUTION 2014R-414  
By Gordon and Quincy**

**Amending The 2014 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 Neighborhood and Community Relations Department Agency in the Neighborhood Revitalization Program Fund (01CNR-8450-200) by \$13,000 from existing fund balance.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**HE&CE & W&M** - Your Committee, having under consideration the September 10, 2014, action of the Neighborhood Revitalization Program (NRP) Policy Board amending their March 22, 2004, action establishing NRP Fund allocations, now recommends:

- a) Approving the reduction of the University Neighborhood NRP allocation by \$75,000 for a new Phase II allocation of \$25,000;
- b) Approving the increase to the Sumner-Glenwood NRP allocation by \$75,000 for a new allocation total of \$100,000; and
- c) Authorizing the proper City officers to execute any contracts or agreements necessary to implement the request.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**HE&CE & W&M** - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with the U.S. Department of Housing and Urban Development (HUD) to accept \$3,400,000 for lead hazard control and healthy homes activities.

Your Committee further recommends passage of Resolution 2014R-415 increasing the appropriation for the Health Department Grants-Federal Fund by \$3,400,000.

OCTOBER 17, 2014

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

**RESOLUTION 2014R-415  
By Gordon and Quincy**

**Amending The 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department in the Grants-Federal Fund (01300-8600122) by \$3,400,000 and increasing the revenue estimate (01300-8600122 - Revenue Code 321008) by \$3,400,000.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

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

**IGR** - Your Committee recommends passage of Resolution 2014R-416 accepting the invitation of the City of Bosaso, Somalia, to join in a Sister City Agreement, inviting the citizens of Bosaso and Minneapolis to participate in the activities outlined in the agreement, and approving the plans to develop the Sister City Agreement.

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

**RESOLUTION 2014R-416  
By Warsame, Glidden, Reich, Gordon, Frey,  
B. Johnson, Goodman, Cano, Bender, Quincy, and Palmisano**

**Extending an invitation to the City of Bosaso to join in a Sister City agreement with the City of Minneapolis, inviting the residents of Bosaso and Minneapolis to participate in the activities outlined in the agreement, and approving the plans of Minnesota Friends of Bosaso to work with the City of Minneapolis to develop the Sister City agreement.**

Whereas, Minneapolis has the largest Somali-American community in the United States of America, contributing to the vibrancy of Minneapolis; and

Whereas, there are hundreds of Somali-owned and operated commercial ventures contributing to the economic health of Minneapolis; and

Whereas, Somali-Americans have established educational, cultural, and non-profit institutions in Minneapolis; and

Whereas, many in Minneapolis and Minnesota have familial, linguistic, and entrepreneurial connections with Bosaso; and

Whereas, Bosaso is a thriving commercial center; and

Whereas, a sister city relationship with Bosaso would formalize the existing informal connections between our cities; and

Whereas, in creating this historic relationship with Bosaso, Minneapolis would be the first city in the United States of America to forge such connections with a city in Somalia; and

Whereas, Mayor Hassan Abdalle Hassan and the City Council of Bosaso have provided written support and encouragement for a formal sister city relationship with Minneapolis; and

Whereas, Minnesota Friends of Bosaso is a volunteer organization working to enhance the relationship between the people of Minneapolis and Bosaso and promote cultural understanding;

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

That the City Council, on behalf of the people of Minneapolis, hereby approves the efforts of Minnesota Friends of Bosaso to develop a Sister City Agreement between the cities of Minneapolis and Bosaso, for the purposes of promoting cultural understanding and stimulating economic development between our two cities and nations.

Be It Further Resolved that the Mayor of Minneapolis is hereby authorized to act for the City of Minneapolis to finalize this Agreement.

Be It Further Resolved that our local Bosaso sister city organization, Minnesota Friends of Bosaso, in cooperation with the Mayor and City Council of Minneapolis, pursue the necessary steps to formalize the relationship between the two cities and involve appropriate individuals, groups, and businesses in developing economic, educational and cultural exchanges.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT Committee submitted the following report:**

**PSCR&EM** – Your Committee recommends that the proper City officers be authorized to enter into a mutual aid agreement with the Hennepin County Sheriff's Office, making police agency equipment, personnel and other resources available between the Minneapolis Police Department and cities within Hennepin County and between the Minneapolis Police Department and the Hennepin County Sheriff.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**PSCR&EM & W&M** – Your Committee recommends that the proper City officers be authorized to transfer the title of four, twenty-foot Urban Area security Initiative trailers from the City of Minneapolis' Office of Emergency Management to the Minnesota Counties of Isanti (two), Sherburne (one) and Chisago (one).

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**PSCR&EM & W&M** – Your Committee recommends that the proper City officers be authorized to accept a grant award from the Minnesota Department of Public Safety in the amount of \$372,388 for traffic safety enforcement, and to execute the 2015 Toward Zero Deaths grant agreement; and further, to enter into agreements with the Police Departments of the University of Minnesota, Golden Valley, Crystal, Hopkins, Robbinsdale and New Hope to share the grant funds, in amounts to be determined.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**PSCR&EM & W&M** - Your Committee recommends that the proper City officers be authorized to accept the Byrne Criminal Justice Innovation Program grant award in the amount of \$100,000, from the U.S. Department of Justice for a planning grant researching crime and factors in specific hotspots that may lead to crime, and develop cross sector strategies to improve public safety, which grant award requires a local match of \$39,659 by the Police Department. Further, passage of Resolution 2014R-417 appropriating said funds to the Police Department.

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

**RESOLUTION 2014R-417  
By Yang and Quincy**

**Amending the 2014 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 Federal Grants Fund (01300-4005000) by \$100,000 and increasing the revenue source (01300-4005000-321010) by \$100,000.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:**  
**T&PW** - Your Committee, having under consideration assessments for the repair and replacement of water and sewer service lines that remain unpaid, now recommends:

a) Passage of Resolution 2014R-418 adopting and levying assessments for water and sewer service line repairs or replacements on the lists of properties set forth in Petition No. 277618 on file in the office of the City Clerk; and

b) That the proposed assessments related to the following properties be **sent forward without recommendation**:

- 1110 12th Ave SE
- 4649 2nd Ave S
- 1941 Irving Ave S

On motion by Reich, seconded, the report was amended to delete part (b) and insert in lieu thereof a new (b) and (c) as follows:

b) That the Water Service Line Repair List be amended by waiving the assessment related to the property located at 1110 12th Ave SE and removing it from the assessment list; and

c) That the proposed assessments pertaining to 4649 2nd Ave S and 1941 Irving Ave S be assessed in the full amount as recommended by staff.

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

**RESOLUTION 2014R-418**

**By Reich**

**Adopting the assessments, levying the assessments, and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office.**

Whereas, a public hearing was held on October 7, 2014, in accordance with Section 509.465 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment rolls on file in the office of the City Clerk and with the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessment against the property identified as PID No 24-029-24-12-0054 at 1110 12th Ave SE in the amount of \$4,850.00 is hereby waived.

That the proposed assessments against the affected properties on the Water Service Line Repair List, dated September 3, 2014, in the total amount of \$840,221.67 and reduced to \$801,141.67 due to prepayments received and the waiver of assessment for property at 1110 12th Ave SE, as shown on the proposed assessment roll on file in the office of the City Clerk and on file in the City Engineer's Special Assessment Office, is hereby adopted and levied.

Be It Further Resolved that the proposed assessments against the affected properties on the Sewer Service Line Repair List, dated September 3, 2014, in the total amount of \$244,085.58 and reduced to \$241,285.58 due to prepayments, as shown on the proposed assessment roll on

file in the office of the City Clerk and on file in the City Engineer's Special Assessment Office, is hereby adopted and levied.

Be It Further Resolved that the assessments be collected in five (5) successive equal annual principal installments beginning on the 2015 real estate tax statements, with interest charged at the rate of 5%.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

On roll call, the result was:

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

Noes: (0)

The report and resolution, as amended, were adopted.

**T&PW** - Your Committee recommends passage of Resolution 2014R-419 approving special services, cost estimates, service charges, and the lists of service charges for 2015 in the Uptown, Dinkytown, Central Ave, Nicollet Ave S, Stadium Village, South Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S Special Service Districts and directing the City Engineer to proceed with the work.

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

**RESOLUTION 2014R-419**

**By Reich**

**Approving special services, the cost estimates, service charges, and the lists of service charges for 2015 in the Uptown, Dinkytown, Central Ave, Nicollet Ave S, Stadium Village, South Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S Special Service Districts and directing the City Engineer to proceed with the work.**

Whereas, public hearings were held on October 7, 2014, in accordance with Laws of Minnesota, 1985, Chapter 302, Laws of Minnesota, 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota, 1995, Chapter 264, Article 3, Section 28, Laws of Minnesota, 1996, Chapter 471, Article 8, Section 44 and Chapters 438, 444, 446, 450, 452, 454, and 457 of the Minneapolis Code of Ordinances to consider the proposed special services, the proposed service charges, and the proposed lists of service charges as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special services, the proposed cost estimate in the total amount of \$416,000 for 2015 and the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$359,078 (amount remaining after adjusting the cost estimate of \$416,000 for previous years' unexpended balances and additional costs as provided for in Section 438.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Uptown Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$160,000 for 2015 and the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$158,479 (amount remaining after adjusting the cost estimate of \$160,000 for previous years' unexpended balances and additional costs as provided for in Section 444.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Dinkytown Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$99,500 for 2015 and the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$117,256 (amount remaining after adjusting the cost estimate of \$99,500 for previous years' unexpended balances and additional costs as provided for in Section 446.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Central Avenue Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$172,000 for 2015 and the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$187,579 (amount remaining after adjusting the cost estimate of \$172,000 for previous years' unexpended balances and additional costs as provided for in Section 448.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Nicollet Avenue South Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$110,000 for 2015 and that the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$122,119 (amount remaining after adjusting the cost estimate of \$110,000 for previous years' unexpended balances and additional costs as provided for in Section 450.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Stadium Village Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$140,000 for 2015 and that the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$119,574 (amount remaining after adjusting the cost estimate of \$140,000 for previous years' unexpended balances and additional costs as provided for in Section 454.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the South Hennepin Avenue Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$24,500 for 2015 and that the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$8,042 (amount remaining after adjusting the cost estimate of \$24,500 for previous years' unexpended balances and additional costs as provided for in Section 457.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the 48th Street East and Chicago Avenue South Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$11,500 for 2015 and that the proposed service charges and the proposed list of service charges (special assessments) for 2015 in the total amount of \$4,433 (amount remaining after adjusting the cost estimate of \$11,500 for previous years' unexpended balances and additional costs as provided for in Section 452.70 of the Minneapolis Code of Ordinances)

as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the 43rd Street West and Upton Avenue South Special Service District.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2015 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit certified copies of said lists of service charges to the Hennepin County Auditor.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute an agreement with the University of Minnesota to perform maintenance, operation, and repairs on the traffic signal system owned by the University at Harvard St SE and Beacon St SE. The University will reimburse the City for 100% of all costs incurred to perform this work.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to amend Contract C-38041 with Sunram Construction, Inc., increasing the contract by \$59,848, for a revised contract total of \$124,308, for stormwater pond dredging to allow for work not included in the original scope of the project. No additional appropriation required.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to extend Contract C-36415 with Custom Products and Services for sidewalk snow clearing and ice control for six Special Service Districts for the 2014-2015 winter season, increasing the contract by \$714,872, for a revised contract total of \$1,923,406. No additional appropriation is required.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee, having under consideration the Central Corridor Light Rail Transit (CCLRT) Project, now recommends:

- a) That the proper City officers be authorized to execute Subordinate Funding Agreement 25 (SFA 25) with the Metropolitan Council for the Metropolitan Council to reimburse the City of Minneapolis for traffic signal work at the intersection of Cedar Ave and Riverside Ave for the project; and
- b) That the proper City officers be authorized to execute endorsement of the Federal Fiscal Year 2014 Federal Transit Administration (FTA) Certifications and Assurances, with the Metropolitan Council for the Central Corridor LRT Project.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends passage of Resolution 2014R-420 increasing the appropriation in the PW-Engineering Materials and Testing Fund by \$180,000 from the Materials & Lab Internal Services Fund net position to cover the cost of new boring and subsurface exploration drilling equipment, a new truck, and all costs associated with mounting the drill rig to the truck.

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

**RESOLUTION 2014R-420**  
**By Reich and Quincy**

**Amending The 2014 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Engineering Materials and Testing Fund (06000-6000300-802001) by \$180,000 from Fund 06000 net position for the purchase of drilling machine, truck, and mounting of drill machine.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No. 7975 from Central Mine Equipment Company, in the amount of \$134,185.00, to furnish and deliver a boring and subsurface exploration drilling

machine. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No. 8002 from Veit Disposal Systems, for an estimated annual expenditure of \$74,600.00, to furnish and deliver all labor, equipment, and incidentals necessary for proper disposal of construction debris and miscellaneous waste as called for through December 31, 2015. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**W&M** - Your committee recommends passage of Resolution 2014R-421 authorizing settlement of the following legal matters, as recommended by the City Attorney.

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

**RESOLUTION 2014R-421  
By Quincy**

**Authorizing legal settlements.**

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

a) Laurence N. Stewart by payment of \$118,000 to Mr. Stewart and his attorney, Joyce Mellom, from Fund/Org. 06900-1500100-145675.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**W&M** – Your Committee, having under consideration the Master Agreement for Legal Services C-36524 between the City of Minneapolis and Lockridge Grindal Nauen, P.L.L.P., now recommends increasing the amount by an additional \$150,000, due to several complex litigation related matters.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to amend contract C-38017 with Office Team for temporary staffing services, increasing the contract by \$25,000 and extending to February 28, 2015, to provide sufficient staffing for the continued operation of the City Council and its standing committees.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** – Your Committee recommends passage of Resolution 2014R-422 authorizing acceptance of the donation of broadcast time from Comcast Cable for the purpose of communicating public service announcements.

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

**RESOLUTION 2014R-422**

**By Quincy**

**Accepting donation of broadcast time for public service announcements.**

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 for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Comcast Cable	Broadcast time for public service announcements

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 communicating public service announcements, as allowed by law; and

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

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

That the donations described above are accepted and shall be used for communicating public service announcements.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**W&M** – Your Committee recommends passage of Resolution 2014R-423 authorizing acceptance of the donation of billboard display time from Clear Channel Outdoor for the purpose of communicating pet licensing, graffiti removal and the November election.

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

**RESOLUTION 2014R-423**

**By Quincy**

**Accepting billboard display time from Clear Channel Outdoor.**

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 for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Clear Channel Outdoor	Billboard display time

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 communicating about pet licensing, graffiti removal and the November election, as allowed by law; and

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

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

That the donations described above are accepted and shall be used for communicating pet licensing, graffiti removal and the November election.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**W&M** – Your Committee recommends acceptance of low bid (re-bid) OP 7990 submitted by All State Communications, Inc., in the amount of \$1,220,000.00, to furnish and deliver all labor, materials, equipment and incidentals necessary for the structure cabling improvement project for the City of Minneapolis Convention Center, all in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 10/17/2014.

(Published 10/21/2014)

**W&M** – Your Committee, having under consideration the Minneapolis Fire Department Fire Station #5 and #7 Improvement Project (C-38168) with JPML Construction Company, now recommends that the proper City officers be authorized to execute Amendment No. 1 to increase contract in the amount of \$48,192.00 for a new total of \$788,992.00, for extra cost of additional flooring and concrete work along with minor changes required to resolve unforeseen conditions related to correcting existing building conditions not within the original scope of work in the contract.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends passage of Resolution 2014R-424 authorizing acceptance of 3rd Quarter 2014 donations made to the City of Minneapolis valued under \$15,000.

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

**RESOLUTION 2014R-424**

**By Quincy**

**Authorizing acceptance of 3rd Quarter 2014 donations made to the City of Minneapolis valued under \$15,000.**

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:

Donations to Minneapolis Animal Care & Control  
2014 3rd Quarter Donations Under \$15,000

<u>Date</u>	<u>Donation</u> <u>Amount</u>	<u>Location</u>	<u>Last Name</u>	<u>First Name</u>
09/12/2014	\$ 20.00	DONATION	CARLSON	CASEY
08/23/2014	\$ 1.00	DONATION WL	HUGHES	ELIZABETH

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07/18/2014	\$ 1.00	DONATION WL	HOROWITZ	CORINNE
07/08/2014	\$ 25.00	DONATION WL	DOBBINS	MARY
09/24/2014	\$ 150.00	DONATION WL	ROSENTHAL	AMY
07/02/2014	\$ 20.00	DONATION WL	DICKSON	DIANNE
09/24/2014	\$ 10.00	DONATION	WELLER	DIANA
09/23/2014	\$ 25.00	DONATION WL	BRINKER	GREG
09/09/2014	\$ 100.00	DONATION	MACDOUGALL	BRENDA
09/10/2014	\$ 100.00	DONATION	BOEDIGHEIMER	NANCY
07/10/2014	\$ 5.00	DONATION WL	PALMER	MELISSA
07/31/2014	\$ 60.00	DONATION	RECTOR	SALLY
08/13/2014	\$ 10.00	DONATION	CAPESIUS	TRACI
07/21/2014	\$ 20.00	DONATION	HASS	RUBY
07/08/2014	\$ 50.00	DONATION	HASS	RUTH
09/18/2014	\$100.00	DONATION WL	CARRIER	KIMBERLY
09/21/2014	\$ 25.00	DONATION WL	WETTELAND	JENNIFER
09/18/2014	\$ 25.00	DONATION	LYNUM LEERSSEN	JULIANNE
07/16/2014	\$ 15.00	DONATION	HORSWILL	CAROL
07/27/2014	\$ -	DONATION WL	SWARTZ	HEIDI
07/14/2014	\$ 20.00	DONATION	WALTER	ANN
07/14/2014	\$15.00	DONATION WL	GUENTHER	JEAN
08/24/2014	\$ 10.00	DONATION WL	WALL	DEBORAH
08/28/2014	\$ 2.00	DONATION WL	CMIEL	THEODORE
09/17/2014	\$ 5.00	DONATION WL	KOERING	JASON
07/31/2014	\$ 20.00	DONATION	RIVARD	MIKE
07/08/2014	\$ 5.00	DONATION	HANNAH	GORDON
08/08/2014	\$ 10.00	DONATION WL	KONOPKA	DIANA
09/30/2014	\$ 25.00	DONATION WL	COATE	JEFF
09/22/2014	\$ 25.00	DONATION WL	RAJTAR	EWA
07/07/2014	\$ 25.00	DONATION	FOURNIER	KATHERINE
08/09/2014	\$ 25.00	DONATION WL	PEDERSON	KRISTINE
07/31/2014	\$ 15.00	DONATION	OINONEN	CAROLE
09/27/2014	\$ 30.00	DONATION	HEGG	MARGARET
09/27/2014	\$ 30.00	DONATION	HEGG	MARGARET
09/27/2014	\$ 30.00	DONATION	HEGG	MARGARET
08/05/2014	\$ 5.00	DONATION WL	LEHRNER	ELIZABETH
09/22/2014	\$ 50.00	DONATION WL	REDMAN	DIA
09/09/2014	\$ 5.00	DONATION WL	WENTLANDT	CASSANDRA
08/29/2014	\$ 30.00	DONATION	MACKERETH	ANNE
09/10/2014	\$ 75.00	DONATION WL	KANYUSIK YOAKUM	ANNE
07/09/2014	\$ 100.00	DONATION	LINDQUIST	BARRY
07/21/2014	\$ 35.00	DONATION	LUBANSKY	PAM
07/12/2014	\$ 20.00	DONATION	MANNER	MARIE
08/28/2014	\$ 20.00	DONATION	KASS	STEVEN WALTER
07/31/2014	\$ 35.00	DONATION	VEZINA	DANIEL
09/29/2014	\$ 145.00	DONATION WL	MALONEY	CATIE
09/26/2014	\$ 1,700.00	DONATION WL	MALONEY	CATIE
07/09/2014	\$ -	DONATION WL	WILLIAMS	SHEILA
07/23/2014	\$ 10.00	DONATION	BOHN	DOROTHY
08/03/2014	\$ 100.00	DONATION WL	TOTH	JULIE
07/22/2014	\$ 50.00	DONATION WL	HOLMES	ANNE

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08/02/2014	\$ 10.00	DONATION WL	PAULSEN	CYNTHIA
07/09/2014	\$ 35.00	DONATION	NOVOTNY	SARAH
07/03/2014	\$ 5.00	DONATION WL	BARNETT	MARTA
09/26/2014	\$ 10.00	DONATION WL	WISNESS	ERIN
08/08/2014	\$ 25.00	DONATION	GUSTAFSON	LORI
09/24/2014	\$ 90.00	DONATION	SMITH	EDWARD
07/08/2014	\$ 80.00	DONATION WL	BAKER	LANCE
08/09/2014	\$ 25.00	DONATION	ROGERS	SANDRA
08/21/2014	\$ 5.00	DONATION WL	TAIJALA	TAAVI
07/12/2014	\$ 45.00	DONATION	JOHNSON	MARY
07/16/2014	\$ 5.00	DONATION WL	MURRAY	KRISTEN
07/24/2014	\$ 10.00	DONATION WL	S	YVONNE
08/13/2014	\$ 35.00	DONATION	LUST	KATHERINE
07/03/2014	\$ 5.00	DONATION WL	HARRIS	STEVEN
08/14/2014	\$ 50.00	DONATION	WARDBAKER	DEBRA
08/25/2014	\$ 50.00	DONATION WL	HALL	JASON
07/17/2014	\$ 50.00	DONATION	RANK	SPENCER
07/21/2014	\$ 50.00	DONATION	DIRKSEN	ANTHONY
07/12/2014	\$ 20.00	DONATION	FORSLUND	LYNETTE
08/17/2014	\$ 30.00	DONATION WL	SCHLICHTMANN	REGINA
07/31/2014	\$ 35.00	DONATION	JONES	BARBARA
09/22/2014	\$ 5.00	DONATION WL	GANNETT	SADIE
07/31/2014	\$ 50.00	DONATION	GALLAGHER	DORIE RAE
08/17/2014	\$ 25.00	DONATION WL	DITTEMORE	MARCIA
07/09/2014	\$ 100.00	DONATION	HEDLUND	ROBBIN
08/23/2014	\$ 100.00	DONATION	HEDLUND	ROBBIN
09/27/2014	\$ 15.00	DONATION	MCNEAL	SANDRA
09/27/2014	\$ 15.00	DONATION	MCNEAL	SANDRA
09/27/2014	\$ 15.00	DONATION	MCNEAL	SANDRA
09/20/2014	\$ 5.00	DONATION WL	PAHL	MELISSA
08/13/2014	\$ 25.00	DONATION	KOFOID	JANICE
07/21/2014	\$ 50.00	DONATION	HAGSTROM	JAMES
09/23/2014	\$ 5.00	DONATION WL	SEIFERT	ANNA
09/27/2014	\$ 100.00	DONATION WL	JOHNSON	ANDREW
07/21/2014	\$ 25.00	DONATION	WOLD	ROGER
08/22/2014	\$ 20.00	DONATION	WHITECOTTON	TIM
07/23/2014	\$ 25.00	DONATION	MAKKYLA	CAROL
07/08/2014	\$ 25.00	DONATION	GUSTAFSON	HARVEY
07/08/2014	\$ 10.00	DONATION WL	KLINGER	PATRICIA
08/07/2014	\$ 10.00	DONATION	JAMISON	PATRICIA
07/31/2014	\$ 100.00	DONATION	NICOLAI	RUTH
07/09/2014	\$ 35.00	DONATION	BRODERSEN	TARA
08/22/2014	\$ 15.00	DONATION	NIBBE	MICHAEL
07/21/2014	\$ 35.00	DONATION	PUKAY	DONNA
07/03/2014	\$ 5.00	DONATION WL	YOUNG	KARLENE
07/24/2014	\$ 5.00	DONATION WL	BUXTON	KATHLEEN
08/09/2014	\$ 35.00	DONATION	LOUGHRAN	LORCHID
07/24/2014	\$ 5.00	DONATION WL	SHEETZ	KATIE
07/21/2014	\$ 25.00	DONATION	NELSON	MARIAN
07/15/2014	\$ 35.00	DONATION	NELSON	MARILYN

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07/15/2014	\$ 35.00	DONATION	CENIN	JOHANNA
08/03/2014	\$ 5.00	DONATION WL	FRENCH	LEWIS
07/16/2014	\$ 20.00	DONATION	IYER	MAYURA
07/16/2014	\$ 50.00	DONATION	DONAHUE	DOLORES
08/29/2014	\$ 50.00	DONATION	BUEIDE	GRETCHEN
09/24/2014	\$ 100.00	DONATION	WIEDEMEIER	KAREN
07/08/2014	\$100.00	DONATION	JOOS	HEIDI
09/27/2014	\$ 10.00	DONATION	AMARIS	VICTORIA
07/31/2014	\$ 50.00	DONATION	CLAWSON	BECKY
07/17/2014	\$ 50.00	DONATION	JACOBS	DOROTHY
08/04/2014	\$ 5.00	DONATION WL	MAHON	MARGARET
07/23/2014	\$ 50.00	DONATION	FRIDLUND	DAVID
09/02/2014	\$ 10.00	DONATION WL	OMALLEY	COLLEEN
07/21/2014	\$ 50.00	DONATION	GACEK	BARBARA
08/27/2014	\$ 20.00	DONATION	GONVALEZ	SILVIA
08/29/2014	\$ 20.00	DONATION	DOVORANY	STEVEN
08/29/2014	\$ 10.00	DONATION	RITTER	MARY
07/12/2014	\$ 100.00	DONATION	PETERSON	KURT
08/14/2014	\$ 5.00	DONATION	MATZ	PAUL
09/22/2014	\$ 25.00	DONATION WL	ROBIN	DEBBIE
08/29/2014	\$ 10.00	DONATION	BALKO	MILDRED
07/12/2014	\$ 35.00	DONATION	SOGGE	RAEAN
07/08/2014	\$ 35.00	DONATION	COYNE	BETTY
07/12/2014	\$ 100.00	DONATION	NELSON	PATRICIA
07/21/2014	\$ 20.00	DONATION	SUNDAHL	JOHN
08/18/2014	\$ 5.00	DONATION WL	MARTY	BRIGETTE
09/05/2014	\$ 20.00	DONATION WL	GARDNER	MARGARET
08/06/2014	\$ 5.00	DONATION WL	WIRTANEN	GAIL
09/03/2014	\$ 40.00	DONATION	NORDIN	TERESA
08/25/2014	\$ 25.00	DONATION WL	BAGLEY	LAURA
07/07/2014	\$ 20.00	DONATION WL	CARLSON	SANDRA
07/12/2014	\$ 30.00	DONATION	MOORE	LINDA
09/03/2014	\$ 100.00	DONATION	SOOK	ROBIN
07/31/2014	\$ 50.00	DONATION	LARSON	LORI
08/07/2014	\$ 20.00	DONATION	MCCORMACK	DEBORAH
09/27/2014	\$ 20.00	DONATION WL	MCCONNELL	DAN
07/22/2014	\$ 25.00	DONATION	LOVEJOY	SAM
08/15/2014	\$ 25.00	DONATION	LOVEJOY	SAM
09/15/2014	\$ 25.00	DONATION	LOVEJOY	SAM
09/18/2014	\$ 50.00	DONATION	DUDEN	JANE
08/06/2014	\$ 0.02	DONATION	GILLESPIE	CHELSEY
07/14/2014	\$ 20.00	DONATION WL	HOMMEYER	ANTONIA
09/13/2014	\$ 20.00	DONATION	SCHMIDT	LANA
07/09/2014	\$ 35.00	DONATION	BERKSETHROJAS	CHRISTIE
08/15/2014	\$ 100.00	DONATION	ROSEN	MOLLY
07/19/2014	\$ 5.00	DONATION WL	CLEMENCE	BEN
07/16/2014	\$ 3.00	DONATION WL	HUNTER	JAMES
08/10/2014	\$ 25.00	DONATION WL	CAMERON	KATHLEEN
08/20/2014	\$ 100.00	DONATION	DOGHOUSE	WENDY'S
08/22/2014	\$ 35.00	DONATION	NAESETH	JOAN

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07/31/2014	\$ 50.00	DONATION	FOSTERLING	ERICA
09/16/2014	\$ 30.00	DONATION WL	CARLYON	TAMARA
07/12/2014	\$ 25.00	DONATION	OTTO	KIRSTEN
07/07/2014	\$ 15.00	DONATION	OTTO	KIRSTEN
09/27/2014	\$ 25.00	DONATION WL	LAWRENCE	SARA
09/27/2014	\$ 30.00	DONATION WL	LAWRENCE	SARA
09/22/2014	\$ 10.00	DONATION WL	HERMAN	DARCY
08/11/2014	\$ 5,500.00	DONATION	ASPCA	THE
07/09/2014	\$ 30.00	DONATION	BROTHERS	MIKE
08/28/2014	\$ -	DONATION WL	BARRETT	LAWRENCE
07/31/2014	\$ 35.00	DONATION	HART	CATHERINE
09/22/2014	\$ -	DONATION	CHRISTENSEN	BRUCE
09/22/2014	\$ 25.00	DONATION	CHRISTENSEN	BRUCE
09/22/2014	\$ -	DONATION	CHRISTENSEN	BRUCE
08/13/2014	\$ 50.00	DONATION	CHRISTENSEN	BRUCE
07/31/2014	\$ 100.00	DONATION	MYERS	JUDITH
07/28/2014	\$ 5.00	DONATION WL	REEG	CAROL LYNN
07/09/2014	\$ 15.00	DONATION	AARON	PHILIP
07/18/2014	\$ 10.00	DONATION	WALSH	JOE
09/24/2014	\$ 25.00	DONATION WL	EVANS	ROBERTA
09/16/2014	\$ 100.00	DONATION	WIEDEMEIER	BETTY
09/06/2014	\$ 50.00	DONATION WL	HIGGINS	PAT
08/24/2014	\$ 5.00	DONATION WL	HEDBERG	KRISTINE
07/26/2014	\$ 35.00	DONATION	SHEPHERD	MARK
07/20/2014	\$ 15.00	DONATION WL	BURGESS	SARAH
09/25/2014	\$ 40.00	DONATION WL	NOWICKI	MARIA
07/15/2014	\$ 10.00	DONATION WL	PETERSON	JOLENE
08/22/2014	\$ 25.00	DONATION WL	ATSATT	CYNTHIA
08/07/2014	\$ 10.00	DONATION WL	GONZALEZ	LISA
08/07/2014	\$ 10.00	DONATION	WEIBLEN	KATHARINE
08/30/2014	\$ 5.00	DONATION WL	MATHEWS	BRITTANY
09/12/2014	\$ 5.00	DONATION WL	ANDERSON	MONICA
08/23/2014	\$ 5.00	DONATION	KOROGI	JUDITH
08/13/2014	\$ 25.00	DONATION	SELLNER	JOHN
07/26/2014	\$ 35.00	DONATION	RAMSEY	JESSICA
07/08/2014	\$ 50.00	DONATION	OVERCOTT	ROBERT
08/18/2014	\$ 5.00	DONATION WL	OVERCOTT	ROBERT
07/08/2014	\$ 25.00	DONATION	BUNDRICK	DANIEL
07/08/2014	\$ 100.00	DONATION	DOUMA	SALLYE
08/13/2014	\$ 200.00	DONATION	MILLER	MARY
09/09/2014	\$ 5.00	DONATION WL	WARNER	TRACY
07/12/2014	\$ 50.00	DONATION	MCKEAN	ANNE
07/14/2014	\$ 50.00	DONATION	KARL	PATRICIA
07/13/2014	\$ 50.00	DONATION WL	HAMMES-BUNNELL	KATHERINE
09/03/2014	\$ 5.00	DONATION WL	SCHNEIDER	AMY
07/08/2014	\$ 100.00	DONATION	STORM	JIM
07/14/2014	\$ 50.00	DONATION	BROOKSHIRE	VIJA
08/13/2014	\$ 10.00	DONATION WL	SEASHORE	KAREN
09/04/2014	\$ 20.00	DONATION	ALLEN	SALLY
08/08/2014	\$ 10.00	DONATION WL	MOE	ANN

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08/13/2014	\$ 100.00	DONATION	DRIVER	NANCY
07/25/2014	\$ 345.00	DONATION	INGELHEIM	BOEHRINGER
07/02/2014	\$ -	DONATION WL	ENGLISH	ANGELE
07/31/2014	\$ 25.00	DONATION	RICHTER	KATHLEEN
07/09/2014	\$ 25.00	DONATION	FERBER	EDIE
08/01/2014	\$ 20.00	DONATION	MYERS	PENNY
07/12/2014	\$ 50.00	DONATION	DECOSTER	JANINE
08/25/2014	\$ 50.00	DONATION WL	REINHART	ERIN
07/08/2014	\$ 100.00	DONATION	BRIDELL	JOHN
09/18/2014	\$ 25.00	DONATION WL	ERLANDSON	ELDEAN
09/09/2014	\$ 50.00	DONATION WL	YANG	AMANDA
09/18/2014	\$ 25.00	DONATION	ALLEN	RENEE
07/17/2014	\$ 25.00	DONATION WL	EKOLA	PETER
09/09/2014	\$ 50.00	DONATION WL	BOARDMAN	ROBYN
08/01/2014	\$ 5.00	DONATION	MONTGOMERY	PETER
07/03/2014	\$ 20.00	DONATION WL	WILSON	TAMARA
09/23/2014	\$ 20.00	DONATION WL	JOHNSON	TIM
07/08/2014	\$ 20.00	DONATION	HADZIC	SENKA
09/16/2014	\$ 25.00	DONATION WL	GODES	SCOTT
09/12/2014	\$ 5.00	DONATION WL	TURNBULL	MICHAEL
07/03/2014	\$ 5.00	DONATION WL	HOLMLUND	PETER
09/12/2014	\$ 5.00	DONATION WL	LINDBERG	AMY
09/18/2014	\$ 75.00	DONATION	GRUVER	STEPHANIE
07/15/2014	\$ 35.00	DONATION	GREMILLION	LEE
07/31/2014	\$ 50.00	DONATION	MARTINSON	CAROL
09/21/2014	\$ 10.00	DONATION WL	FRIDGEN	JANET
08/31/2014	\$ 10.00	DONATION WL	ZOLA	RACHAEL
08/04/2014	\$ 5.00	DONATION WL	OSELL	CINDY
08/11/2014	\$ 20.00	DONATION	SPOTTS	TERRY
09/27/2014	\$ 100.00	DONATION	SCHARTON	JULIE
09/27/2014	\$ 4.00	DONATION	FOSTER	RONNIE
09/11/2014	\$ 10.00	DONATION WL	MADDEN	LAURA
09/18/2014	\$ 25.00	DONATION	MOORE	BERNADETTE
07/25/2014	\$ 10.00	DONATION WL	MOORE	BERNADETTE
07/08/2014	\$ 20.00	DONATION WL	MORTON	MARJORIE
07/12/2014	\$ 100.00	DONATION	HIGGINS	RICHARD
08/08/2014	\$ 10.00	DONATION WL	KRETZMANN	SUE
08/10/2014	\$ 25.00	DONATION WL	DRURY	LINN
07/08/2014	\$ 35.00	DONATION	BROWN	BRITTA
08/14/2014	\$ 100.00	DONATION	NEMCHIK	KAREN
09/15/2014	\$ 5.00	DONATION WL	ABBOTT	MICHAEL
09/15/2014	\$ 10.00	DONATION WL	BAUER	BRENDA
08/13/2014	\$ 50.00	DONATION	REINHART	SUSAN
09/07/2014	\$ 25.00	DONATION WL	BURNEVIK	SOPHIE
08/10/2014	\$ 10.00	DONATION WL	DILLON	MARIA
08/06/2014	\$ 15.00	DONATION WL	HAMILTON	SIERRA
09/24/2014	\$ 10.00	DONATION WL	ANDERSON	RICHARD
08/18/2014	\$ 10.00	DONATION WL	PAULSON	LAUREN
09/18/2014	\$ 50.00	DONATION	BONNELL	JONI
07/12/2014	\$ 100.00	DONATION	MCCULLOUGH	SAMUEL

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09/26/2014	\$ 15.00	DONATION	JOHNSON	NANCY
07/08/2014	\$ 100.00	DONATION	EVERDING	KELLY
07/17/2014	\$ 20.00	DONATION	PICONE	LINDA
07/31/2014	\$ 250.00	DONATION	TURNER	CATHERINE
07/09/2014	\$ 5.00	DONATION WL	MEDINA	MARINA
07/01/2014	\$ 1.00	DONATION WL	MAHIGEL	MIKE
07/01/2014	\$ 1.00	DONATION WL	BAKER	KELLY
07/17/2014	\$ 50.00	DONATION	ANDERSON	CYNTHIA
07/15/2014	\$ 35.00	DONATION	LESAOUT	NINA
09/16/2014	\$ 100.00	DONATION	RESCUE	SAVE A BULL
09/11/2014	\$ 25.00	DONATION	MN SNAP	MN SNAP
09/12/2014	\$ 25.00	DONATION	HUNTER	J.
07/31/2014	\$ 25.00	DONATION WL	GRAHAM	REBECCA
07/03/2014	\$ 1.00	DONATION WL	OGDEN	ROBIN
08/26/2014	\$ 100.00	DONATION	CARLON	DAVID
09/22/2014	\$ 20.00	DONATION	XIONG	PA
07/12/2014	\$ 25.00	DONATION	HUDSON	DAVID
07/23/2014	\$ 50.00	DONATION	WAREHAM	JANE
09/01/2014	\$ 5.00	DONATION WL	LOWRY	JENNIFER
09/16/2014	\$ 10.00	DONATION WL	WELCH	KELLY
09/17/2014	\$ 20.00	DONATION	DAY	JANET
07/01/2014	\$ 50.00	DONATION	CAMPBELL	JOAN
07/09/2014	\$ 30.00	DONATION	ANDERSON	ROBERT
07/24/2014	\$ -	DONATION WL	LAKE	JOHN
07/09/2014	\$ 35.00	DONATION	MANN	DAVID
09/09/2014	\$ 25.00	DONATION WL	LACKAFF	JULIE
07/06/2014	\$ 5.00	DONATION WL	PESTELLO	CHERYL
08/15/2014	\$ 25.00	DONATION WL	BOEGEMAN	CHRISSEY
07/21/2014	\$ 75.00	DONATION	OSTENSO	KAREN
09/18/2014	\$ 75.00	DONATION	KOELMAN	LINDA
07/07/2014	\$ 25.00	DONATION	SCALF	DENNIS
07/12/2014	\$ 35.00	DONATION	WELLER	JENELLE
07/08/2014	\$ 50.00	DONATION	GRANEY	ESTHER
07/12/2014	\$ 10.00	DONATION	BRAZIL	BONNIE
08/05/2014	\$ 50.00	DONATION WL	COLLINS	MICHAEL
09/16/2014	\$ 5.00	DONATION WL	CRANE	BRIAN
07/14/2014	\$ 50.00	DONATION	TIERNEY	RENEE
07/29/2014	\$ 5.00	DONATION WL	KAHL	DONALD
09/22/2014	\$ 25.00	DONATION WL	HAUGESAG	DIANE
08/26/2014	\$ 5.00	DONATION WL	LINDGREN	JOYCE
08/14/2014	\$ 100.00	DONATION	DOGS	RUFF LOVE
07/21/2014	\$ 25.00	DONATION	KAHLE	CARLA
07/14/2014	\$ 50.00	DONATION	BREKKE WALDEN	JULIE
07/06/2014	\$ 15.00	DONATION WL	HUNTINGTON	KATHERINE
07/08/2014	\$ 100.00	DONATION	ABELN	MARK
07/15/2014	\$ 200.00	DONATION	GROTEN KREKULA	HOLLY
08/14/2014	\$ 35.00	DONATION	HEDIN	DOUGLAS
07/21/2014	\$ 25.00	DONATION	ERHARD	ANGELIKA
08/29/2014	\$ 50.00	DONATION	GARRARD	WILLIAM
07/12/2014	\$ 150.00	DONATION	BENSON	CLAUDE

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09/06/2014	\$ 100.00	DONATION WL	MUSSELMAN	KRISTIN
08/20/2014	\$ 25.00	DONATION WL	THILLEN	RUTH
09/08/2014	\$ 1,000.00	DONATION	MILLER	KEITH
07/09/2014	\$ 100.00	DONATION	PETERSEN	JUDY
07/12/2014	\$ 25.00	DONATION	GOTT	HEATHER
07/15/2014	\$ 25.00	DONATION	KLAGSTAD	DONNA
07/17/2014	\$ 10.00	DONATION	ZAPPA	ADELINE
07/22/2014	\$ 40.00	DONATION WL	WATSON	AMANDA SUE
07/08/2014	\$ 35.00	DONATION	BUHTA	RON
09/20/2014	\$ 10.00	DONATION WL	ATKIN	RONDI
08/18/2014	\$ 35.00	DONATION WL	HOWELL	GREGORY
09/27/2014	\$ 50.00	DONATION	QUINCY	JOHN
07/29/2014	\$ 100.00	DONATION	ZIEGLER	KRIS
07/14/2014	\$ 20.00	DONATION	VANDEVOORT	LEONA
09/25/2014	\$ 20.00	DONATION WL	MACIEJ	KIM
07/31/2014	\$ 35.00	DONATION	CARLSON	ANDERS
08/31/2014	\$ 25.00	DONATION WL	FOSSE	KARI
09/04/2014	\$ 100.00	DONATION WL	PRESTWOOD	STEVE
07/15/2014	\$ 30.00	DONATION	HUGHES	MARY
08/19/2014	\$ 25.00	DONATION WL	FUREY	KATHLEEN
08/07/2014	\$ 250.00	DONATION	AMANN	PAUL
09/15/2014	\$ 25.00	DONATION	IMHOLTE	RACHEL
07/22/2014	\$ 25.00	DONATION	IMHOLTE	RACHEL
08/15/2014	\$ 25.00	DONATION	IMHOLTE	RACHEL
09/08/2014	\$ 10.00	DONATION	RODRIGUEZ	ANGELA
09/18/2014	\$ 25.00	DONATION WL	BRICKMAN	KATE
07/08/2014	\$ 5.00	DONATION WL	HAVEN	KRISTEN
07/23/2014	\$ 25.00	DONATION	ANDERSON	KATHLEEN
08/28/2014	\$ 500.00	DONATION WL	GOLDNER	MICHAEL
09/12/2014	\$ 100.00	DONATION WL	GOLDNER	MICHAEL
07/08/2014	\$ 100.00	DONATION	BUNDLIE	SCOTT
08/01/2014	\$ 20.00	DONATION	WEHRMEYER	SCOTT
09/11/2014	\$ 5.00	DONATION WL	AUSTIN	JOHN
09/18/2014	\$ 20.00	DONATION	WIDHOLM	DELORES
08/24/2014	\$ 2.00	DONATION WL	MANTZ	SAMANTHA
09/18/2014	\$ 100.00	DONATION	HOFSTEDE	DIANE
07/23/2014	\$ 25.00	DONATION	AZZIVITTO	TROY
09/03/2014	\$ 100.00	DONATION	HAGGERTY	MAUREEN
08/25/2014	\$ 10.00	DONATION WL	LINES	CAILEE
08/07/2014	\$ 50.00	DONATION	ROSEN	TONI
08/17/2014	\$ 25.00	DONATION WL	JACKSON	SCOTT
08/02/2014	\$ 20.00	DONATION	YANG	ISABELLE
09/09/2014	\$ 25.00	DONATION	CAMPION	DANIEL
07/08/2014	\$ 35.00	DONATION	APPLEBAUM	WAYNE
07/12/2014	\$ 50.00	DONATION	CARLSON	CAROL
08/22/2014	\$ 35.00	DONATION	KAMPA	JANET
07/31/2014	\$ 20.00	DONATION	ANSCHUTZ	DAVID
09/22/2014	\$ 10.00	DONATION WL	STAEHLE	KATHLEEN
07/22/2014	\$ 1.00	DONATION WL	ALLEN	KYLE
07/09/2014	\$ 25.00	DONATION	NORDSTROM	JON

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09/18/2014	\$ 25.00	DONATION	VOSS	DAVID
09/12/2014	\$ 5.00	DONATION WL	ROLLINGS	ROBERT
09/06/2014	\$ 100.00	DONATION WL	MCHUGH	MIKKE
09/28/2014	\$ 5.00	DONATION WL	KRITSBERG	ERICA
08/22/2014	\$ 20.00	DONATION	SKORICK	LESLIE
07/08/2014	\$ 100.00	DONATION	EDDY	PATRICE
08/12/2014	\$ 100.00	DONATION	PET CARE	LUCKY DOG
08/17/2014	\$ 5.00	DONATION WL	LAULAINEN	MARK
09/04/2014	\$ 25.00	DONATION WL	DAVISALI	SUSAN
07/22/2014	\$ 10.00	DONATION WL	SMITH	ALMA
07/08/2014	\$ 20.00	DONATION	BROWN	DAVID
07/14/2014	\$ 10.00	DONATION WL	MORSEKAHN	DEBORAH
07/14/2014	\$ 50.00	DONATION	PETERS	CAROL
09/18/2014	\$ 25.00	DONATION	NELSON	VIVIAN
08/23/2014	\$ 20.00	DONATION	ARF	GORDON
07/08/2014	\$ 35.00	DONATION	JACOBSON	JOHN
07/07/2014	\$ 100.00	DONATION	FORTIER	JOYCE
07/17/2014	\$ 5.00	DONATION WL	SEAMANS	SEAN
09/12/2014	\$ 25.00	DONATION WL	NOWICKI	MARILYN
08/07/2014	\$ 50.00	DONATION	ROYCRAFT	THOMAS
08/08/2014	\$ 25.00	DONATION WL	OLSON	CAROL A.
07/19/2014	\$ 10.00	DONATION WL	MCGRUDER	WYNTER
07/23/2014	\$ 35.00	DONATION	AUKEMA	SNOW
07/17/2014	\$ 50.00	DONATION	WEISSBERGER	BARBARA
07/12/2014	\$ 20.00	DONATION	SWAUGER	JUDITH
07/23/2014	\$ 75.00	DONATION	GAMMON	HOLLY
07/08/2014	\$ 10.00	DONATION	KROENING	RUTH
07/16/2014	\$ 35.00	DONATION	REKKEDAHL	ANN
07/16/2014	\$ 25.00	DONATION	WINTER	EMILY
09/07/2014	\$ 50.00	DONATION WL	FURULI TORGRIM	VICKI JAN
07/14/2014	\$ 5.00	DONATION WL	KALRA	CAMELLIA
08/20/2014	\$ 100.00	DONATION	LAW FIRM	STONE ARCH
09/12/2014	\$ 15.00	DONATION	BEGGS	PAMELA
08/11/2014	\$ -	DONATION WL	JAMES	KYLE
08/26/2014	\$ 5.00	DONATION WL	ZWIENER	DAN
08/28/2014	\$ 10.00	DONATION WL	PETERS	ISAAC
08/05/2014	\$ 25.00	DONATION WL	MORGAN	BROC
08/18/2014	\$ 5.00	DONATION WL	JOHNSTON	JULIET
08/04/2014	\$ 5.00	DONATION WL	WOODMAN	STEWART
09/08/2014	\$ 15.00	DONATION	CONLIN	PATRICIA
07/01/2014	\$ 10.00	DONATION WL	TIBIATOWSKI	JESSICA
07/25/2014	\$25.00	DONATION WL	TURNER	SHANNON
07/08/2014	\$ 100.00	DONATION	MCKEY	SANDRA
07/31/2014	\$ 50.00	DONATION	MORROW	ANGIE
08/11/2014	\$ 5.00	DONATION WL	MINTZ	KATHRYN
07/01/2014	\$ 5.00	DONATION WL	MILLER	DAVID

**\$ 22,852.02**

## OCTOBER 17, 2014

### 2014 3rd Quarter Donations Under \$15,000

Name of Recipient Department	Name of Entity Making Donation	Description of Donation	Total
<i>Minneapolis Animal Care &amp; Control</i>	Various individuals See attached list	Money for animal shelter No restrictions	\$22,852.00
<i>Fire Department</i>	Ethan & Ashley Trepp	Check	\$ 100.00
<i>Honoring Thom, the Lake Harriet Elf</i>	Heartfelt	Craft items	nominal value
<i>BIS Department</i>	CMU	CMU Urban Workshop (\$131.10 for transportation to/from airport, \$141.00 hotel, \$55.00 dinner)	\$ 327.10
<i>Police Department</i>	Dreematie Mahadeo	Check	\$ 50.00
<i>Police Department</i>	Michael H. Jeub	Check	\$ 50.00
<i>Health Department</i>	Health Resources in Action	Check	\$ 500.00
<i>Health Department</i>	Health Partners/Regions	Check	\$ 700.00
<b>TOTAL</b>			<b>\$ 24,579.10</b>

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

Whereas, all such donations have been contributed to assist the city in the purposes stated, as allowed by law; and

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

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 public purposes.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute a Termination and Release Agreement related to the “Pledged Interest” in iDSS (Internet Destination Sales System, Inc.), a wholly-owned subsidiary of Meet Minneapolis, releasing the

City's rights related to the Pledged Interest under the Third Party Pledge Agreement and allowing the proposed transaction to proceed.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to amend contract C-37325 with Geographic Information Services, Inc. as follows:

a) Extend said contract for implementation of a Geographic Information System (GIS) boundary editing tool designed to make editing of GIS data more accessible to department personnel, for a term of three years;

b) Increase the contract in the amount of \$35,000 for a not-to-exceed total of \$85,000; and

c) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute a one year contract with Microsoft, for a not-to-exceed amount of \$50,000 and authorize use of Microsoft's contract documents instead of the City's standards agreement for Premier Core Services to migrate office productivity products.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee, having under consideration a recommendation from the Executive Committee to establish a market exception for salary for the Internal Auditor, now recommends the following:

a) Approving the recommendation for the market exception for salary for the Internal Auditor (625 points/Grade 13).

b) Approving the salary structure for the position, effective October 10, 2014, and authorize annual step movement for the incumbent, provided satisfactory or better job performance.

c) Passage of Ordinance 2014-Or-088 establishing the salary for said appointed position.

OCTOBER 17, 2014

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

**ORDINANCE 2014-Or-088**  
**By Quincy**  
**Intro & 1st Reading: 1/6/2014**  
**Ref to: W&M**  
**2nd Reading: 10/17/2014**

**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: October 10, 2014**

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>PTS</b>	<b>G</b>	<b>P</b>
E	1	<u>Internal Auditor</u>	625	13	A

<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>	<b>Step 7</b>	<b>Step 8</b>
\$118,750	\$125,000	\$127,500	\$130,000	\$132,500	\$135,000	\$137,500	\$140,000

On roll call, the result was:

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

Noes: (0)

The report and ordinance were adopted.

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

**Z&P** – Your Committee recommends approval of the application submitted by Amy Moore with Special School District No. 1, to vacate the east 3 feet of the west 122 feet of an existing easement of Lots 1-15, B.F. Nelson’s Addition, bounded by Broadway St NE, Jackson St NE, Quincy St NE, Monroe St NE, and 15th St NE, to allow for an existing parking lot encroachment.

Your Committee further recommends passage of Resolution 2014R-425 vacating said easement.

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

**RESOLUTION 2014R-425**  
**By Bender**

**Vacating parts of Lots 1-15, B.F. Nelson’s Addition, along Quincy Street NE (Vacation File No. 1636).**

Resolved by The City Council of The City of Minneapolis:

OCTOBER 17, 2014

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The East 3.00 feet of the West 122.00 feet of Lots 1-15, B.F. Nelson's Addition to Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota is hereby vacated.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**Z&P** – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts, amending regulations pertaining to secondhand goods in the C3A Community Activity Center District, concurs in the recommendation of the Planning Commission that the related findings be adopted and that Ordinance 2014-Or-089 be given its second reading for amendment and passage.

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

**ORDINANCE 2014-Or-089**  
**By Bender**  
**Intro & 1st Reading: 8/15/2014**  
**Ref to: Z&P**  
**2nd Reading: 10/17/2014**

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

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

Section 1. That Section 548.360 of the above-entitled ordinance be amended to read as follows:

**548.360. General district regulations.** The following conditions govern uses in the C3A District:

(1) *Maximum floor area of retail sales and services.*

a. *In general.* All retail sales and services, including shopping centers, shall be limited to a maximum gross floor area of four thousand (4,000) square feet per use, except as provided in sections (1)b. and c. and (6) below.

b. *Bonus for no parking between the principal structure and the street.* If parking is not located between the principal structure and the street, the maximum gross floor area of a retail sales and service use shall be increased to six thousand (6,000) square feet.

c. *Bonus for additional stories.* If parking is not located between the principal structure and the street, and the structure in which the commercial use is located is at least two (2) stories (not including the basement), the maximum gross floor area of a retail sales and service use shall be increased to eight thousand (8,000) square feet.

(1) *Wholesale and off-premise sales.* Wholesale and off-premise sales accessory to retail sales shall be limited to two thousand (2,000) square feet of gross floor area or forty-five (45) percent of gross floor area, whichever is less, provided that the main entrance opens to the retail component of the establishment, except as otherwise provided in this ordinance.

(2) *Drive-through facilities and car washes prohibited.* Drive-through facilities and car washes shall be prohibited.

(3) *Outdoor speakers prohibited.* Commercial outdoor speakers shall be prohibited.

(4) *Shopping centers.* Notwithstanding section (1) above, shopping centers with primarily interior access to individual uses shall be allowed, provided that the individual uses shall be limited to four thousand (4,000) square feet. Shopping centers with primarily exterior access to individual uses shall be subject to the maximum floor area requirements of section (1) above.

(5) *Fast food restaurants.* Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited, or as part of a shopping center with interior access to individual uses, provided further that freestanding signs shall be prohibited.

(6) *Production, processing and storage.* Limited production and processing uses shall be limited to one thousand two hundred (1,200) square feet of gross floor area. Other production, processing, and storage uses shall be limited to four thousand (4,000) square feet of gross floor area.

(7) *Community residential facilities.* Community residential facilities serving six (6) or fewer persons shall be located in structures existing on the effective date of this ordinance.

~~(8) *Secondhand goods stores.* Secondhand goods stores shall be limited to the sale of used clothing and related accessories.~~

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

**Z&P** – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts, amending off-street parking requirements in the University Area Overlay District, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that Ordinance 2014-Or-090 be given its second reading for amendment and passage.

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

**ORDINANCE 2014-Or-090**  
**By Gordon**  
**Intro & 1st Reading: 2/22/2013**  
**Ref to: Z&P**  
**2nd Reading: 10/17/2014**

**Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.**

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

Section 1. That Section 551.160 of the above-entitled ordinance be amended to read as follows:

**551.160. Dinkytown area.** The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Fourth Street Southeast and Fourteenth Avenue Southeast, as shown on the official zoning map:

(1) *Off-street parking.* Nonresidential uses shall not be required to provide accessory off-street parking facilities. The minimum off-street parking requirement for multiple-family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District.

Section 2. That Section 551.175 of the above-entitled ordinance be amended to read as follows:

**551.175. Transit Station areas.** The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:

Cedar-Riverside LRT Station

Franklin Avenue LRT Station

Lake Street/Midtown LRT Station

38th Street LRT Station

46th Street LRT Station

50th Street/Minnehaha Park LRT Station

VA Medical Center LRT Station

West Bank LRT Station

Stadium Village LRT Station

Prospect Park/~~29th Avenue~~ LRT Station

(1) *Prohibited uses.* The following uses shall be prohibited in the PO Overlay District:

- a. Self service storage.
- b. Commercial parking lots, including the expansion of any existing commercial parking lot.
- c. The conversion of any accessory parking lot to a commercial parking lot.

(2) *Wholesaling, warehousing and distribution; furniture moving and storage.* Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.

(3) *Density bonuses.* Where the primary zoning district or Industrial Living Overlay District provide a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.

(4) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

**Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements**

Transit Station Area	Minimum FAR		
	Commercial, OR2 and OR3 Districts	Industrial Districts	Residence and OR1 Districts
Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
50th Street/Minnehaha Park	1.0	1.0	none
VA Medical Center	1.0	1.0	none
West Bank	1.0	1.0	none
Stadium Village	1.0	1.0	none
Prospect Park/29th Avenue	1.0	1.0	none

(5) *Off-street parking.*

a. *Multiple-family dwellings.* The minimum off-street parking requirement for multiple-family dwellings shall be ninety (90) percent of the number specified in Chapter 541, Off-Street Parking and Loading. In the following transit station areas, the minimum off-street parking requirement for multiple-family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District: Cedar-Riverside, West Bank, Stadium Village, and Prospect Park.

Section 3. That Section 551.1320 of the above-entitled ordinance be amended to read as follows:

**551.1320. Off-street parking.** (a) *Minimum number of off-street parking spaces.* The minimum off-street parking requirement for residential uses shall be one-half (1/2) parking space per bedroom ~~but not less than one (1) space per dwelling unit.~~ For the purpose of this ordinance, an efficiency dwelling unit shall be considered equivalent to a one (1) bedroom dwelling unit in calculating the minimum parking requirement. Parking reductions allowed in the PO Pedestrian Oriented Overlay District shall be applied after calculating parking based on this provision.

(b) *Location.* Off-street parking for single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units shall be located entirely within the rear twenty-five (25) feet of the lot. Lots providing at least one (1) parking space in a detached accessory structure are not subject to this standard.

(c) *Dimensions.* Off-street parking for single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units shall comply with the following standards:

(1) One hundred (100) percent of the required parking spaces may be provided as compact spaces.

(2) Parking lots of one (1) or more spaces that encroach into the required interior side yard shall provide landscaping and screening not less than three (3) feet in height consistent with the provisions of section 530.170 of this ordinance.

(3) Surface parking areas in the rear twenty-five (25) feet of the lot shall have an interior side yard of not less than two (2) feet.

(4) Surface parking areas shall have a rear yard of not less than two (2) feet. The rear yard may be reduced to zero (0) feet where adjacent to an alley.

(5) Parking lots shall be defined by durable curbing material that allows for on site drainage of storm water runoff and discourages parking of vehicles on landscaped areas of a lot.

(6) Lots providing at least one (1) parking space in a detached accessory structure are not subject to standards (1) through (4) above.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

**Z&P** – Your Committee, having under consideration the Nicollet Island East Bank Neighborhood Small Area Plan as an articulation of, and amendment to, the policies found in the city's comprehensive plan, now recommends approval of the Plan with the following conditions:

a) The comprehensive plan amendment is subject to final review and approval by the Metropolitan Council.

b) Additional transportation planning and design work will be necessary for development and implementation of the Nicollet-Central Streetcar. The features and recommendations of this Department of Community Planning and Economic Development plan will be referenced in that planning process and reevaluated in conjunction with the larger project. They may be adjusted, refined, or updated if necessary.

c) The features and recommendations of this plan will be used to guide preparation of an updated comprehensive plan in upcoming years. As with all small area plans, features and recommendations of this plan will be reevaluated and may be adjusted or updated in the next update to the Comprehensive Plan.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**Z&P** – Your Committee, having under consideration the St. Anthony East Neighborhood Small Area Plan as an articulation of, and amendment to, the policies found in the city’s comprehensive plan, now recommends approval of the plan with the following conditions:

- a) The comprehensive plan amendment is subject to final review and approval by the Metropolitan Council.
- b) Additional transportation planning and design work will be necessary for development and implementation of the Nicollet-Central Streetcar. The features and recommendations of this plan will be referenced in that planning process and reevaluated in conjunction with the larger project. They may be adjusted, refined, or updated if necessary.
- c) The features and recommendations of this plan will be used to guide preparation of an updated comprehensive plan in upcoming years. As with all small area plans, features and recommendations of this plan will be reevaluated and may be adjusted or updated in the next update to the Comprehensive Plan.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**Z&P** – Your Committee, having under consideration the Sheridan Neighborhood Small Area Plan as an articulation of, and amendment to, the policies found in the city’s comprehensive plan, now recommends approval of the plan with the following conditions:

- a) The comprehensive plan amendment is subject to final review and approval by the Metropolitan Council.
- b) The features and recommendations of this plan will be used to guide preparation of an updated comprehensive plan in upcoming years. As with all small area plans, features and recommendations of this plan will be reevaluated and may be adjusted or updated in the next update to the Comprehensive Plan.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**Z&P** – Your Committee, having under consideration the Metropolitan Council Draft 2040 Parks Policy Plan, now recommends approval of the Community Planning and Economic Development staff comments and directs staff to submit said comments to the Metropolitan Council by the end of the 45-day comment period (October 30, 2014).

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**Z&P** – Your Committee, to whom was referred an ordinance amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations, establishing the parameters and process for creating conservation districts, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that Ordinance 2014-Or-091 be given its second reading for amendment and passage.

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

**ORDINANCE 2014-Or-091**  
**By Gordon**  
**Intro & 1st Reading: 3/30/2012**  
**Ref to: Z&P**  
**2nd Reading: 10/17/2014**

**Amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations.**

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

Section 1. That Section 599.30 of the above-entitled ordinance be amended to read as follows:

**599.30. Purpose.** This chapter is adopted to promote the recognition, preservation, protection and reuse of landmarks, historic districts, conservation districts, and historic resources; to promote the economic growth and general welfare of the city; to further educational and cultural enrichment; to implement the policies of the comprehensive plan, and to provide for the administration of this title including the powers and duties of officials and bodies charged with such administration, the standards for required approvals and the procedures for its enforcement.

Section 2. That Section 599.50 of the above-entitled ordinance be amended to read as follows:

**599.50. Scope of regulations.** (a) *In general.* All landmarks, ~~and~~ historic districts, conservation districts, all nominated properties under interim protection and all historic resources shall be subject to all applicable requirements of this chapter.

(b) *Emergency exception.* Nothing in this chapter shall prevent the emergency alteration or other modification necessary to correct the unsafe or dangerous condition of any structure or other feature, where the building official certifies to the planning director that such condition has been declared unsafe or dangerous and the proposed measures have been determined necessary to correct the condition without delay. However, only such work that is necessary to correct the unsafe or dangerous condition may be performed. The extent of such work shall be determined in consultation with the planning director who may recommend to the building official that the salvage and preservation of specified building materials, architectural details, ornaments, fixtures and similar items be made a condition of such emergency alteration or modification. The planning director shall report to the commission not less than once per month all emergency alterations or other modifications certified to the planning director in the preceding month, the reasons for such emergency, and the nature and extent of the alteration or modification performed.

Section 3. That Section 599.90 of the above-entitled ordinance be amended to read as follows:

**599.90. Compliance with conditions of approval.** (a) *In general.* All approvals made pursuant to this chapter shall remain in effect as long as all of the conditions and guarantees of such approval are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this chapter and may result in termination of the approval.

(b) *Compliance with other regulations.* All approvals made pursuant to this chapter shall be subject to all other applicable city, local, regional, state and federal regulations. If a portion of this ordinance conflicts with any other provision of the Minneapolis Code of Ordinances or with any other provision of law, the more restrictive provision shall apply.

Section 4. That Section 599.110 of the above-entitled ordinance be amended to read as follows:

**599.110. Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this chapter, have the meanings indicated. All words and phrases not defined shall have their common meaning.

*Alteration.* Any construction, addition, demolition, relocation or material change affecting the exterior of a landmark, property in an historic district or nominated property under interim protection, or the designated or nominated interior of any building, that the planning director has determined is not a minor alteration. Examples may include, but are not limited to, the following:

- (1) Destruction of any structure, in whole or in part.
- (2) Addition to a structure or moving the location of a structure.
- (3) Addition of a structure.
- (4) Changes to or replacement of architectural details or visual characteristics such as doors, door frames and openings, windows, window frames and openings, siding, shutters, railings, walls, steps, porches, balconies, or other ornamentation.
- (5) Changes to surface materials, color and texture, including painting an unpainted masonry surface such as brick, concrete, stone or stucco, or sandblasting or other abrasive cleaning of a masonry surface.
- (6) Changes to or replacement of roofing materials.
- (7) Addition or removal of signs and awnings, or changes to or replacement of existing signs and awnings.
- (8) Changes to or replacement of landscaping or natural features that are inconsistent with the historic qualities of the property.
- (9) Disturbance of archaeological sites or areas.
- (10) Changes deemed to require a certificate of appropriateness by design guidelines.

Block. A tract of land bounded by streets, or by a combination of streets, railroad rights-of-way, shorelines, waterways or boundary lines of the corporate limits of the city.

Block face. The half block area of property facing a street. Corner properties shall be considered part of two block faces, one (1) for each of the two intersecting streets.

*Building official.* The individual designated by the director of the department of community planning and economic development to serve as the city's building official pursuant to Minnesota Statutes, Section 326B.133.

*Certificate of appropriateness.* A certificate issued by the planning director evidencing the review and authorization by the commission of plans for alteration of a landmark, property in an historic district or nominated property under interim protection.

*Certificate of no change.* A certificate issued by the planning director evidencing the review and authorization by the planning director of plans for minor alteration of a landmark, property in an historic district or nominated property under interim protection.

*City council.* The City Council of the City of Minneapolis.

*Commission.* The ~~Heritage Preservation Commission~~ heritage preservation commission of the City of Minneapolis.

Conservation certificate. A certificate issued by the planning director evidencing the review and authorization by the planning director of plans for changes to a property in a conservation district.

Conservation district. All property within a defined area established to perpetuate and proliferate the visual character evident in its notable architecture, development pattern, scale, engineering, or landscape design.

Conservation district plan. A report prepared to document the visual character evident in a defined area, for the purposes of identifying whether its notable architecture, development pattern, scale, engineering, or landscape design warrant protection as a conservation district, and which includes design guidelines created to guide development in the district.

*Cultural resource.* An item, fixture, property, collection of properties, or place that is believed to have historical, cultural, architectural, archaeological or engineering integrity and significance.

*Demolition.* The act of moving or razing a building including the removal or enclosure of sixty (60) percent or more of the structure.

*Designation study.* A study and report prepared to document the historical, cultural, architectural, archaeological or engineering significance of a property.

*Design guidelines.* Specific design criteria adopted by the commission for landmarks, ~~and~~ historic districts, and conservation districts to be used in reviewing applications for certificates of appropriateness, ~~and~~ certificates of no change, and conservation certificates.

*Destruction.* The removal, damage or enclosure of architectural, mechanical or landscape features, including, but not limited to, the removal of the primary façade(s), character defining façade(s), or the removal of the roof of the structure for the purpose of raising the overall height of the building or roof, that may have an adverse effect on the historical integrity and significance of a property.

*Historic district.* All property within a defined area designated as an historic district by the city council because of the historical, cultural, architectural, archaeological or engineering significance of the district, or designated as an historic district by state law.

*Historic resource.* A property that is believed to have historical, cultural, architectural, archaeological or engineering significance and to meet at least one of the criteria for designation as a landmark or historic district ~~as provided in this chapter.~~

*Historic variance.* Departure from the literal requirements of the zoning regulations governing a landmark or property in an historic district where strict adherence would cause undue hardship due to special conditions or circumstances unique to a site.

*Integrity.* The authenticity of a landmark, historic district, nominated property under interim protection or historic resource evidenced by its location, design, setting, materials, workmanship, feeling or association.

*Interim protection.* Protection from destruction or alteration given to a nominated property following the commission's decision to commence a designation study. Interim protection does not apply to conservation districts unless they have been nominated as historic districts or landmarks.

*Landmark.* Any property, or any interior of a building, designated as a landmark by the city council because of its historical, cultural, architectural, archaeological or engineering significance.

*Minor alteration.* An alteration that the planning director has determined does not affect the integrity of a landmark, historic district or nominated property under interim protection. Examples may include, but are not limited to, changes that the planning director has determined are not significant, and changes that reproduce the existing design and that are executed with the same type of materials and methods as existing if available, or with visually similar materials if the original materials are not available.

*Nominated property.* A property that has been nominated for designation as a landmark or historic district, pursuant to the requirements of this chapter.

*Notability.* The importance of a conservation district evidenced by embodiment of the distinctive characteristics of an architectural or engineering type or style, or method of construction; its exemplification of a landscape design or development pattern distinguished by quality of design or detail, innovation, rarity, or uniqueness which may include scale that creates a cohesive identifiable setting.

*Notable.* A level of importance lower than that required for designation as a landmark or historic district but which is of critical importance to the community's heritage.

*Period of significance.* The span of time that properties attain the characteristics that qualify them for designation.

*Planning director.* The director of the representative department of community planning and economic development or their designee.

*Potential ~~Historic District~~ historic district.* A collection of ~~property~~ properties that ~~is~~ are believed to have historical, cultural, architectural, archaeological or engineering significance and to meet at least one (1) of the criteria for designation as an historic district ~~as provided in this chapter.~~

*Property.* Any land, building, structure or object, surface or subsurface area, natural or landscape feature.

*Receiving site.* The zoning lot on which transferred floor area is to be developed, pursuant to the requirements of this chapter.

*Sending site.* The zoning lot containing a landmark or located within an historic district, and from which undeveloped floor area is to be transferred, pursuant to the requirements of this chapter.

*Significance.* The ~~authenticity~~ importance of a landmark, historic district, nominated property under interim protection or historic resource evidenced by association with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history; association with the lives of significant persons or groups; because it contains or is associated with distinctive elements of city or neighborhood identity; embodiment of the distinctive characteristics of an architectural or engineering type or style, or method of construction; its exemplification of a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail; exemplification as a work of master builders, engineers, designers, artists, craftsmen or architects; because it has yielded, or may be likely to yield, information important in prehistory or history.

*Structure.* Anything constructed or erected with a more or less fixed location on or in the ground or in or over a body of water. A structure shall include, but not be limited to, buildings, fences, walls, signs, canopies, decks, patios, antennae, piers, bridges, docks and any objects or things permanently attached to the structure.

*The Secretary of the Interior's Standards.* The most recent standards for the treatment of historic properties established by the National Park Service, United States Department of the Interior.

*Transfer of development rights.* The conveyance of undeveloped floor area from one zoning lot to another zoning lot, pursuant to the requirements of this chapter.

*Zoning administrator.* The individual designated by the director of the department of community planning and economic development to serve as the city's zoning administrator or their authorized representative.

Section 5. That Section 599.120 of the above-entitled ordinance be amended to read as follows:

**599.120. Heritage preservation commission.** (a) *Establishment.* The heritage preservation commission is established pursuant to the authority granted by Minnesota Statutes sections 138.71 through 138.75, Minnesota Historic District Act of 1971, and Minnesota Statutes section 471.193, Municipal Heritage Preservation. The commission shall perform its duties and exercise its powers as provided therein.

(b) *Jurisdiction and authority.* The commission shall have the following powers and duties in connection with the administration of this chapter:

- (1) To interpret and administer the provisions of this chapter.
- (2) To adopt and administer rules and regulations relating to the administration of this chapter.
- (3) To direct the commencement of designation studies, ~~as authorized by this chapter.~~
- (4) To hear and make recommendations to the city council on the proposed designation of landmarks and historic districts.
- (5) To hear and decide applications for certificate of appropriateness.
- (6) To hear and decide applications for demolition of historic resources.
- (7) To hear and decide appeals from decisions of the planning director, building official or other official, ~~as authorized by this chapter.~~
- (8) To hear and make recommendations to the city council on proposed historic variances.
- (9) To hear and make recommendations to the city council on proposed transfers of development rights.
- (10) To adopt design guidelines for landmarks, ~~and~~ historic districts, and conservation districts, and to revise design guidelines as necessary.
- ~~(11) To review and make recommendations to the city council on proposed amendments to the zoning code.~~
- ~~(12) 11~~ To make recommendations to the city council on proposed amendments to this chapter.
- ~~(13) 12~~ To inform and educate the citizens of Minneapolis concerning the historical, cultural, architectural, archaeological or engineering heritage of the city.
- ~~(14) 13~~ To seek and identify incentives to encourage both public and private investments in preserving the city's landmarks, historic districts and historic resources.
- ~~(15) 14~~ To make recommendations to the city council that designated properties or historic resources be acquired by purchase, gift or by eminent domain.
- ~~(16) 15~~ To take such other actions as are reasonable and necessary for the administration and enforcement of this chapter.
- (16) To review and make recommendations to the city council on proposed conservation district establishment, amendment, and repeal.
- (17) To hear and decide applications for conservation certificate public hearing reviews.

(c) *Commission membership.* The commission shall consist of ten (10) members, each of whom shall reside in Minneapolis. Members shall be persons with demonstrated interest, knowledge,

ability or expertise in historic preservation, neighborhood revitalization, archaeology, urban planning, history or architecture. One (1) shall be the representative of the mayor. If available, at least two (2) shall be registered architects, at least one (1) shall be a licensed real estate agent or appraiser, at least one (1) shall reside in or own a landmark or property in an historic district, and if available at least one (1) shall be a member of the ~~Hennepin County historical society~~ History Museum. All appointments, except the mayor's representative, shall be made by the city council and all appointments shall follow the open appointments process contained in section 14.180 of the Minneapolis Code of Ordinances, and as provided in the rules and procedures of the commission. Applicants for appointment to the commission shall be interviewed by a committee of the planning director and one (1) member of the commission who shall recommend applicants to ~~the zoning and planning committee~~ of the city council. Members shall serve for a term of three (3) years, and shall be appointed as the terms of the present members of the commission expire. No member shall serve more than three (3) full terms consecutively. Any member may reapply for appointment after missing one (1) full term.

(d) *Public hearings.* The commission shall schedule public hearings not less than once per month. Such public hearings shall be noticed and conducted pursuant to the provisions of section 599.170.

(e) *Rules and procedures.* The commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications, appointments to the commission and any other purposes considered necessary for its proper functioning, and shall select or appoint officers as it deems necessary. Such policies and procedures shall be consistent with this chapter.

(f) *Compensation.* Members of the commission shall be paid at the rate of fifty dollars (\$50.00) for each public meeting attended with a limitation of four (4) meetings per month.

Section 6. That Section 599.130 of the above-entitled ordinance be amended to read as follows:

**599.130. Planning director.** The planning director shall assist the commission in discharging its duties and shall have the following powers and duties in connection with the administration of this chapter:

- (1) To serve as staff to the heritage preservation commission.
- (2) To receive, review and process all complete applications for approvals, ~~as provided in this chapter.~~
- (3) To perform the administrative review of certificates of no change.
- (4) To perform the administrative review of demolition permits.
- ~~(5) To receive, review and process all complete nomination applications, as provided in this chapter.~~
- ~~(6)~~ 5 To prepare or cause to be prepared designation studies, conservation district plans, and design guidelines.
- ~~(7)~~ 6 To identify historic resources.
- ~~(8)~~ 7 To establish and administer rules and regulations relating to the administration of this chapter, including application forms.

~~(9 8)~~ To review and make recommendations on proposed amendments to this chapter.

~~(40 9)~~ To maintain all records which are a part of the administration of this chapter.

~~(44 10)~~ To take such other actions as reasonable and necessary for the administration and enforcement of this chapter.

(11) To receive, review and process all complete applications for conservation district plans.

(12) To perform the administrative review of conservation certificates.

Section 7. That Section 599.150 of the above-entitled ordinance be amended to read as follows:

**599.150. City council.** The city council shall have the following powers and duties in connection with the administration of this chapter:

(1) To initiate and adopt amendments to this chapter.

(2) To hear and decide appeals from decisions of the heritage preservation commission,~~as authorized by this chapter.~~

(3) To designate landmarks and historic districts,~~as authorized by this chapter.~~

(4) To approve historic variances,~~as authorized by this chapter.~~

(5) To approve the transfer of development rights,~~as authorized by this chapter.~~

(6) To take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this chapter.

(7) To establish, amend, or repeal conservation districts.

Section 8. That Section 599.160 of the above-entitled ordinance be amended to read as follows:

**599.160. Application procedures.** (a) *In general.* All applications shall be processed by the planning director, who shall make a preliminary investigation, in accordance with the procedures set forth in this chapter. Any person having a legal or equitable interest in a property may file an application on a form approved by the planning director,~~as provided in this chapter.~~

(b) *Determination of completeness of application.* The planning director shall review all applications and determine whether such applications are complete. Applications shall not be accepted as complete until the applicant has complied with all of the following:

(1) Submittal of all required application forms relating to the application, including all additional applications, as required in sections 599.120.

(2) Submittal of all supporting information required by city ordinance, the planning director, the application forms, or by law, including a list of all owners of record of property located in whole or in part within three hundred fifty (350) feet of the boundaries of the subject property, as identified in the records of the Hennepin County Department of Property Taxation.

(3) Submittal of all applicable fees.

(4) Submittal of all applicable environmental reviews.

(5) Submittal of progress towards approval of all required state and federal reviews and permits where applicable. The planning director may, for good cause require application to provide written statement from the state or federal authority in whose review the work or permits are under consideration.

(6) For all preservation applications requiring a public hearing as set forth in this preservation ordinance, except appeals of decisions of the heritage preservation commission, a pre-application meeting with city staff during which the appropriate application types, procedures, requirements and applicable preservation ordinance provisions are reviewed and explained.

(7) For all preservation applications requiring a public hearing as set forth in this preservation ordinance, except appeals of decisions of the heritage preservation commission, submittal of evidence that notification of the application has been mailed or delivered to the ward council office and the neighborhood group(s) for the area in which the property is located. The neighborhood group(s) to be notified are those organizations that appear on the list maintained by the planning director for this purpose. The notification shall include the following information: a description of the project; the preservation approvals that the applicant is aware are needed for the project; the address of the property for which a preservation application is sought; and the applicant's name, address, telephone number, and e-mail address, if available. Where the property for which preservation approval is sought is located on a public street that acts as a boundary between two (2) neighborhoods, the above information shall also be provided to the neighborhood group(s) representing the adjacent area(s).

(c) *Incomplete applications.* If after the application has been accepted, the planning director determines that an application is not complete, the planning director shall notify the applicant in writing within fifteen (15) business days of receipt, specifying any deficiencies of the application, including any additional information that must be supplied, and that no further action shall be taken by the city on the application until the deficiencies are corrected.

(1) *Remedy of deficiencies.* If the applicant fails to correct the specified deficiencies within thirty (30) calendar days of the notification of deficiency, the application shall be deemed withdrawn and will be returned to the applicant.

(2) *Extensions of time.* Upon written request by the applicant, the planning director may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant by these application procedures.

(d) *Noncomplying properties.* No new application for the same property shall be accepted or deemed complete, if at the time of application such property is not in compliance with the requirements of this chapter or with the requirements of a previous approval granted pursuant to this chapter. Upon receipt of such an application, the planning director shall inspect the property and provide written notice to the applicant indicating the nature of the violation and the action necessary to correct it. This section shall not prevent an application to correct an existing condition that is not in compliance with the requirements of this chapter.

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Section 9. That Section 599.175 of the above-entitled ordinance be amended to read as follows:

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

Table 599-1 599-1 Fees

TABLE INSET:

Application Type	Fee(Dollars)
Appeal of the ruling of the heritage preservation commission	\$350.00
Appeal of the ruling of the zoning administrator, planning director, or other official involved in the administration or the enforcement of this preservation ordinance	350.00
Certificate of no change	0.00
Certificate of appropriateness <u>Alteration alteration</u>	
0--5,000 sf of lot area	250.00
5,001--9,999 sf of lot area	450.00
10,000--43,559 sf of lot area	750.00
43,560 sf of lot area or more	950.00
Certificate of appropriateness <u>New new construction</u>	
0--9,999 sf of lot area	450.00
10,000--43,559 sf of lot area	750.00
43,560 sf of lot area or more	950.00
<u>Conservation certificate – administrative review</u>	<u>0.00</u>
<u>Conservation certificate – public hearing review alteration</u>	
<u>0--5,000 sf of lot area</u>	<u>250.00</u>
<u>5,001--9,999 sf of lot area</u>	<u>450.00</u>
<u>10,000--43,559 sf of lot area</u>	<u>750.00</u>
<u>43,560 sf of lot area or more</u>	<u>950.00</u>
<u>Conservation certificate – public hearing review new construction</u>	
<u>0--5,000 sf of lot area</u>	<u>250.00</u>
<u>5,001--9,999 sf of lot area</u>	<u>450.00</u>
<u>10,000--43,559 sf of lot area</u>	<u>750.00</u>
<u>43,560 sf of lot area or more</u>	<u>950.00</u>
<u>Conservation district plan</u>	<u>350.00</u>
<u>Demolition of historic resource</u>	<u>350.00</u>

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Historic review letter	150.00
Historic variance	250.00
Transfer of development rights	350.00

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

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

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

(e) *Refund of fees.*

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

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

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

Section 10. That Section 599.190 of the above-entitled ordinance be amended to read as follows:

**599.190. Appeals of decisions of the heritage preservation commission.** All decisions of the heritage preservation commission, except decisions to commence designation studies pursuant to a nomination of property, designations, and transfers of development rights, shall be final subject to appeal to the city council and the right of subsequent judicial review. Appeals may be initiated by any affected person by filing the appeal with the planning director on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160, and fees as specified in section 599.175. All appeals shall be filed within ten (10) calendar days of the date of decision by the commission. No action shall be taken by any person to alter the property in any manner until expiration of the ten (10) day appeal period and, if an appeal is filed pursuant to this section, until after a final

decision has been made by the city council. Not less than ten (10) days before the public hearing to be held by ~~the zoning and planning committee~~ of the city council to consider the appeal, the planning director shall mail notice of the hearing to the property owner and the surrounding property owners who were sent notice of the public hearing before the commission. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

Section 11. That Section 599.240 of the above-entitled ordinance be amended to read as follows:

**599.240. Interim protection.** (a) *Purpose.* Interim protection is established to protect a nominated property from destruction or inappropriate alteration during the designation process.

(b) *Effective date.* Interim protection shall be in effect from the date of the commission's decision to commence a designation study of a nominated property until the city council makes a decision regarding the designation of the property, or for ~~twelve (12) months~~ one (1) year, whichever comes first. Interim protection may be extended for such additional periods as the commission may deem appropriate and necessary to protect the designation process, not exceeding a total ~~additional~~ period of eighteen (18) months. The commission shall hold a public hearing on a proposed extension of interim protection as provided in section 599.170.

(c) *Scope of restrictions.* During the interim protection period, no alteration or minor alteration of a nominated property shall be allowed except where authorized by a certificate of appropriateness or a certificate of no change, ~~as provided in this chapter.~~

Section 12. That Section 599.250 of the above-entitled ordinance be amended to read as follows:

**599.250. State historic preservation office review.** ~~The planning director shall submit all proposed designations to the state historic preservation officer for review and comment within sixty (60) days. The planning director shall submit all proposed designations to the state historic preservation officer for review and comment. The state historic preservation officer shall have sixty (60) days from said date of submittal to provide comments to the planning director.~~

Section 13. That Section 599.270 of the above-entitled ordinance be amended to read as follows:

**599.270. Designation hearing.** Following completion of the designation study the commission shall hold a public hearing to consider the proposed designation, as provided in section 599.170. ~~Any person having a legal or equitable interest in a nominated property shall be allowed reasonable opportunity to give testimony or present evidence concerning the proposed designation.~~

Section 14. That Section 599.280 of the above-entitled ordinance be amended to read as follows:

**599.280. Commission recommendation.** Following the public hearing, the commission shall make findings with respect to the proposed designation and shall submit the same together with its recommendation to ~~the zoning and planning committee~~ of the city council. In making its findings and recommendation, the commission shall consider the designation criteria contained

in section 599.210, the information contained in the designation study, the state historic preservation officer's comments, the city planning commission's comments, the planning director's report and all testimony and evidence received at the public hearing relating to the designation.

Section 15. That Section 599.300 of the above-entitled ordinance be amended to read as follows:

**599.300. Design guidelines.** The commission shall adopt design guidelines for landmarks and historic districts. Prior to adoption, the planning director shall submit all proposed design guidelines to the state historic preservation officer for review and comment ~~within sixty (60) days~~. The state historic preservation officer shall have sixty (60) days from said date of submittal to provide comments to the planning director.

Section 16. That Section 599.420 of the above-entitled ordinance be amended to read as follows:

**599.420. Required findings for certificate of no change.** (a) *In general.* Before approving a certificate of no change, and based upon the evidence presented in each application submitted, the planning director shall make findings based upon, but not limited to, the following:

(1) The minor alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.

(2) The minor alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.

(3) The minor alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.

(4) The minor alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.

(5) The minor alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.

(6) The certificate of ~~appropriateness~~ no change conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan.

(b) *Additional findings for alterations within historic districts.* Before approving a certificate of ~~appropriateness~~ no change that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:

(1) The minor alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.

(2) Granting the certificate of no change will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.

(3) The certificate of no change will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.

Section 17. That Section 599.460 of the above-entitled ordinance be amended to read as follows:

**599.460. Review of demolitions.** The planning director shall review all building permit applications that meet the definition ~~for~~ of demolition to determine whether the affected property is an historic resource. If the planning director determines that the property is not an historic resource, the building permit shall be approved. If the planning director determines that the property is an historic resource, the building permit shall not be issued without review and approval by the commission following a public hearing as provided in section 599.170.

Section 18. That Section 599.590 of the above-entitled ordinance be amended to read as follows:

**599.590. Hearing on application for transfer of development rights.** The commission shall hold a public hearing on each complete application for transfer of development rights as provided in section 599.170. Following the public hearing, the commission shall make findings with respect to the proposed transfer of development rights and shall submit the same together with its recommendation to ~~the zoning and planning committee of~~ the city council.

Section 19. That Section 599.640 of the above-entitled ordinance be amended to read as follows:

**599.640. Purpose.** This article is established to ensure that landmarks, historic districts, conservation districts, and nominated properties under interim protection are properly maintained and protected against deterioration.

Section 20. That Section 599.650 of the above-entitled ordinance be amended to read as follows:

**599.650. Duty to maintain.** All landmarks, properties in historic districts, properties in conservation districts, nominated properties under interim protection and historic resources shall be kept in a state of maintenance and repair as required by Title 5 of the Minneapolis Code of Ordinances, Building Code, and Title 12 of the Minneapolis Code of Ordinances, Housing, and with all other applicable regulations.

Section 21. That Section 599.660 of the above-entitled ordinance be amended to read as follows:

**599.660. Prevention of deterioration.** No person with a legal or equitable interest in a landmark, property in an historic district, property in a conservation district, or nominated property under interim protection, whether occupied or not, shall permit the property to fall into a serious state of disrepair or to remain in a serious state of disrepair so as to materially impair the integrity of the property or historic district.

Section 22. That Section 599.690 of the above-entitled ordinance be amended to read as follows:

**599.690. Procedures upon discovery of violations.** (a) *In general.* The building official, in consultation with the planning director, shall provide a written notice to the property owner or to any person responsible for such violation, identifying the property in question, indicating the nature of the violation, and ordering the action necessary to correct it, including a reasonable time period to remedy the violation. Where the violation involves work being done contrary to the provisions of this chapter, the building official may order the work stopped. No further work shall be undertaken while a stop-work order is in effect.

(b) *Appeals to commission.* Where the violation involves a condition of approval granted pursuant to this chapter, or an unauthorized alteration or minor alteration of a landmark, property in an historic district, property in a conservation district, nominated property under interim protection or historic resource, or other provision of this chapter except a violation of Title 5 of the Minneapolis Code of Ordinances, Building Code, or Title 12 of the Minneapolis Code of Ordinances, Housing, the written notice shall advise that the building official's order may be appealed to the commission in accordance with the provisions of section 599.180.

Section 23. That the above-entitled ordinance be amended by adding thereto a new Article XIII to read as follows:

### ARTICLE XIII. CONSERVATION DISTRICTS

**599.710. Purpose.** This article is established to maintain and enhance the visual character, land use, or activity evident in its notable architectural detail, building type, or development pattern by regulating changes to those attributes and adopting design guidelines for properties within a defined area. As part of the city's comprehensive program of historic preservation, it is the intent of this ordinance to promote the use and conservation of notable properties or districts for the education, inspiration, pleasure, and enrichment of its citizens and for the long-term sustainability and vitality of the city. Conservation districts are designed to not only maintain but also expand the roster of buildings, structures, and sites that contribute to the visual character and support the land use and activity of the district. The value of existing and proposed buildings in conservation districts is measured by the extent to which they embody the conservation district's notable visual character and support its land use and activity.

**599.720. Establishment criteria.** (a) The following criteria shall be considered in determining whether properties are eligible to be in a conservation district:

(1) The district is contiguous and:

- a. includes at least one complete block face with two or more principal buildings; or
- b. is centered upon the intersection of two or more streets, with all corner lots included in the district.

(2) Seventy-five (75) percent of properties embody notable attributes common to the district:

- a. distinctive characteristics of an architectural or engineering type or style, or method of construction; and

b. a landscape design or development pattern distinguished by quality of design or detail, innovation, rarity, or uniqueness; or which may include scale that creates a cohesive identifiable setting.

**599.730. Initiation of conservation district plan.** Application for initiation of a conservation district plan shall be submitted on an application form approved by the planning director and shall be accompanied by evidence documenting the consent of owners who represent one-third (1/3) or more of all tax parcels, and notification of all owners of all tax parcels, excluding streets and alleys, within the proposed conservation district boundary. The commission shall review all complete applications. If the commission determines that the subject district appears to meet the criteria for establishment contained in section 599.720, the commission may direct the planning director to prepare or cause to be prepared a conservation district plan and design guidelines. Complete applications will be acted upon in the order that they are received, with no more than two applications in 2015 and no more than one application per city sector (north, east, downtown, south, and southwest) processed simultaneously.

**599.740. Design guidelines.** (a) In general. Conservation district design guidelines shall be drafted by the planning director with the active participation of property owners in the proposed district. Design guidelines shall not be adopted or applied so as to prohibit uses allowed by the zoning code. Design guidelines regulating building bulk may be more restrictive than the zoning code when based upon the notable attributes, as identified in the conservation district's plan. Design guidelines shall be limited to regulating some or all exterior elements solely for the purpose of perpetuating and proliferating the district's notable attributes, as identified in the district's plan. Conservation district design guidelines shall clearly identify all changes requiring review for compliance with this ordinance. Design guidelines may establish that a public hearing is required for the construction of principal and accessory structures or the addition or removal of floor area to existing principal or accessory structures. All other changes shall be reviewed administratively unless those changes require a public hearing review pursuant to the Minneapolis Code of Ordinances.

(b) Owner consent. Prior to heritage preservation commission adoption, but not amendment, guidelines shall be submitted to the planning director, accompanied by evidence documenting the consent of owners who represent two-thirds (2/3) or more of all tax parcels, excluding streets and alleys, within the proposed conservation district boundary to both the establishment of the proposed conservation district and the proposed design guidelines. Evidence of two-thirds (2/3) consent shall be obtained within one (1) year of the date the planning director initiates work upon a conservation district plan application. The planning director, upon written request, may for good cause shown grant up to a six (6) month extension to this time limit. No additional owner consent is required for changes to the design guidelines that the heritage preservation commission adopts during either the initial conservation district and design guideline establishment process or any subsequent conservation district design guideline amendment process.

**599.750. State historic preservation office review.** The planning director shall submit all proposed conservation district establishments, amendments, repeals, and design guidelines to the state historic preservation officer for review and comment. The state historic preservation officer shall have sixty (60) days from said date of submittal to provide comments to the planning director.

**599.760. City planning commission review.** The planning director shall submit all proposed conservation district establishments, amendments, repeals, and design guidelines to the city planning commission. City planning commission shall have sixty (60) days from said date of submittal to provide comments to the planning director. In its review, the city planning commission shall consider but not be limited to the following factors:

(1) The district's eligibility for establishment, as evidenced by its consistency with the establishment criteria.

(2) The consistency of the proposed conservation district with the city's zoning code and comprehensive plan.

(3) The effect of the proposed conservation district on the surrounding area.

(4) The consistency of the proposed conservation district with applicable development plans or development objectives adopted by the city council.

(5) The consistency of the proposed design guidelines with the establishment criteria.

(6) The effect of the proposed district on the long-term sustainability and vitality of the city.

**599.770. Heritage preservation commission review.** Following acceptance of a complete plan, the heritage preservation commission shall hold a public hearing to consider the proposed conservation district establishment, amendment, or repeal as provided in section 599.170.

**599.780. Commission recommendation.** Following the public hearing, the heritage preservation commission shall make findings with respect to the proposed conservation district establishment, amendment, or repeal and shall submit the same together with its recommendation to the city council. In making its findings and recommendation, the commission shall consider the establishment criteria contained in section 599.720, the information contained in the plan, the state historic preservation officer's comments, the city planning commission's comments, the planning director's report, and all testimony and evidence received at the public hearing relating to the conservation district establishment, amendment, or repeal.

**599.790. City council decision.** The city council shall make the final decision on the establishment, amendment, or repeal of all conservation districts.

**599.800. Adoption.** The heritage preservation commission shall adopt conservation district design guidelines concurrent with the review of conservation district plans.

**599.810. Initiation of conservation district amendment or repeal.** Once established, a conservation district amendment, including amendment to design guidelines, or repeal may be initiated by the submittal of evidence documenting the consent of owners who represent two-thirds (2/3) or more of all tax parcels, excluding streets and alleys, within the conservation district boundary.

**599.820. Conservation certificates.** (a) *In general.* A conservation certificate allows the city to review proposed exterior changes subject to conservation district design guidelines.

(b) Application for conservation certificate. An application for a conservation certificate shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

(c) Public hearing review conservation certificates. The commission shall hold a public hearing on each complete application for a public hearing review conservation certificate as provided in section 599.170. The commission may approve, approve with conditions, or deny an application for a conservation certificate.

(d) Administrative review conservation certificates. The planning director may approve, approve with conditions, or deny an application for an administrative review conservation certificate.

**599.830. Required findings for conservation certificates.** (a) In general. Before approving a conservation certificate, and based upon the evidence presented in each application submitted, the planning director or heritage preservation commission shall make findings based upon, but not limited to, the following, in addition to any other review requirements mandated by the Minneapolis Code of Ordinances:

(1) The change will not materially impair the visual character of the conservation district as evidenced by the consistency of the proposal with the applicable design guidelines adopted by the commission.

(2) Granting the conservation certificate will be in keeping with the spirit and intent of the ordinance.

(b) Demolition of any property. Before approving a conservation certificate that involves the demolition of any property in a conservation district, the planning director or heritage preservation commission shall consider the consistency of any proposed new construction onsite with the design guidelines for the conservation district adopted by the commission, in addition to any other review requirements mandated by the Minneapolis Code of Ordinances.

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

## RESOLUTIONS

Resolution 2014R-426 supporting Kids Voting Minneapolis was adopted.

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

### RESOLUTION 2014R-426

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

**Supporting Kids Voting Minneapolis.**

OCTOBER 17, 2014

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Whereas, with the ratification of the 26th amendment in 1971, that lowered the voting age to 18 years old, there was great hope and enthusiasm for the younger generation of this nation. It was hoped that young people would share a great voice in American democracy; and

Whereas, in the following year, 1972, only about 50% of U.S. 18-24 year olds exercised this new right by voting; and

Whereas, by 2012, this declined when only 41% of 18-24 year olds voted nationally; and

Whereas, Minnesota has led the nation in official voter turnout in eight of the last nine national elections, with 76% voting in 2012; and

Whereas, in that same year, 2012, in Minnesota, only 57.7% of 18-29 year olds voted, ranking third highest in the nation, behind only Mississippi and Wisconsin; and

Whereas, a recent 2014 report from Education Commission of the States and the National Center for Learning and Civic Engagement cited Kids Voting USA as an organization using "Simulations of Democratic Processes", one of six proven practices for effective civic learning; and

Whereas, national research has confirmed the positive influence of the Kids Voting program on voting patterns and civic participation. In communities with Kids Voting programs, the voting rate for registered 18-year-olds is 14 % higher than their non-participating peers and adult voter turnout increases as much as 5%; and

Whereas, since 2004, Kids Voting Minneapolis through its K-12 activities, has worked to prepare students for a lifetime of voting and civic participation in our democracy; and

Whereas, on Election Day students go to the official polls with adults to experience an authentic voting experience by voting in a Kids Voting booth on a specially designed Kids Voting Minneapolis ballot that includes many of the same candidates and issues that the official adult ballot contains; and

Whereas, recent Kids Voting Minneapolis efforts resulted in doubling the number of K-12 students who voted, from 7,600 in 2008 (24%) to 14,000 in 2012 (42%); and

Whereas, Minneapolis businesses, civic groups, governmental entities and volunteers have added their support to Kids Voting Minneapolis;

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

That the City Council hereby endorses and supports Kids Voting Minneapolis. Support includes educating election judges about Kids Voting Minneapolis, delivering Kids Voting materials to and from polling places on Election Day, and coordinating Election Day activities to ensure a smooth process for kids and adult voters.

#### **UNFINISHED BUSINESS**

Pursuant to notice, on motion by Glidden, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Committee of the Whole:

Amending Title 2, Chapter 14 of the Minneapolis Code of Ordinances relating to Administration: In General (amending provisions related to boards, commissions, committees, task forces, and similar organizations).

Pursuant to notice, on motion by A. Johnson, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 13, Chapter 309 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Extended Hours of Operation (allowing temporary extended hours of operation licenses).

### **NEW BUSINESS**

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability (amending regulations governing the placement of containers for household refuse).

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 17, Chapter 430 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Right of Way Permits (setting out specific permit requirements for dumpsters and storage containers obstructing the public right of way).

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees (clarifying in connection with amendments to the right of way chapter that street use permits referred to in the building code are a form of obstruction permit).

Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General (amending process for administrative hearings for business licenses).

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 1, Chapter 1 of the Minneapolis Code of Ordinances relating to General Provisions: In General (updating language to reflect changes indicated by Plain Language Charter Revision).

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 2 of the Minneapolis Code of Ordinances relating to Administration (updating language to reflect changes indicated by Plain Language Charter Revision):

- a) Chapter 16 relating to Finance.
- b) Chapter 17 relating to Finance Department.
- c) Chapter 18 relating to Purchasing.
- d) Chapter 23 relating to City Assessor.
- e) Chapter 24 relating to Special Assessments.
- f) Chapter 25 relating to City Attorney.

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 9 of the Minneapolis Code of Ordinances relating to Fire and Police Protection (updating language to reflect changes indicated by Plain Language Charter Revision):

- a) Chapter 171 relating to Police.
- b) Chapter 173 relating to Fire.

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11, Chapter 214 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Health Department (updating language to reflect changes indicated by Plain Language Charter Revision).

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General (updating language to reflect changes indicated by Plain Language Charter Revision).

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks (updating language to reflect changes indicated by Plain Language Charter Revision):

- a) Chapter 427 relating to In General
- b) Chapter 430 relating to Right-of-Way Permits

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewerage Disposal: Water (updating language to reflect changes indicated by Plain Language Charter Revision).

B. Johnson and Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement (updating language to reflect changes indicated by Plain Language Charter Revision).

On motion by Glidden, seconded, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

## INDEX

### AUDIT:

COORDINATOR (277595)

Internal Auditor Position: Letter in support of Will Tetsell.

**COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277596)

Upper Harbor Terminal Site: Authorize an interim Lease Agreement and other related documents with Building Materials Corporation of America (GAF).

LICENSES AND CONSUMER SERVICES (277597)

Liquor, Business & Gambling License Applications: Department of Licenses & Consumer Services agenda recommendations for Liquor, Business & Gambling licenses.

REGULATORY SERVICES (277598)

Rental Dwelling License (2808 Pillsbury Ave S - Owner Abdi Mohamud): Revocation of license.

REGULATORY SERVICES (277599)

Rental Dwelling License (3016 Colfax Ave S - Owner Peter Leugers): Revocation of license.

**COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277600)

Minnesota Department of Employment and Economic Development (DEED) Grant Awards: Acceptance of Redevelopment Program grants awarded by DEED for the Broadway Flats (\$300,000) and Downtown East (\$500,000) projects and authorize execution of related documents.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):**

COORDINATOR (277601)

Energy Utility Franchises: a) Ordinances repealing current electric and gas utility ordinances and adding new franchise and fee ordinances with Centerpoint Energy and Xcel Energy; b) Clean Energy Partnership Memoranda of Understanding; and c) PowerPoint.

COORDINATOR (277602)

Food Day: Resolution recognizing October 24, 2014, as Food Day.

COORDINATOR (277603)

Homegrown Minneapolis Food Council: Appointment of Jesus Perez.

NEIGHBORHOOD AND COMMUNITY RELATIONS (277604)

Downtown Minneapolis Neighborhood Association (DMNA): Allocation of Neighborhood Revitalization Program Funds.

NEIGHBORHOOD AND COMMUNITY RELATIONS (277605)

Sumner-Glenwood Neighborhood Association: Allocation of Neighborhood Revitalization Program Funds.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS (See Rep):**

HEALTH DEPARTMENT (277606)

Lead Hazard Control and Healthy Homes Activities: Accept grant from US Department of Housing and Urban Development (HUD); and PowerPoint report.

**INTERGOVERNMENTAL RELATIONS:**

INTERGOVERNMENTAL RELATIONS (277607)

Receive and file Met Council Water Presentation: Water Resources Policy Plan (WRPP) Update; WRPP Overall Goals and Policy; Master Water Supply Plan Update.

**INTERGOVERNMENTAL RELATIONS (See Rep):**

INTERGOVERNMENTAL RELATIONS (277608)

Bosaso, Somalia: Establishment of a sister city relationship. Proposal; Process and Criteria; Resolution.

**PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT (See Rep):**

POLICE DEPARTMENT (277609)

Mutual Aid Agreement: Authorize a mutual aid agreement with the Hennepin County Sheriff's Office making police agency equipment, personnel and other resources available between the Minneapolis Police Department and cities within Hennepin County and between the Minneapolis Police Department and the Hennepin County Sheriff.

**PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS:**

EMERGENCY MANAGEMENT (277610)

Federal Emergency Management Agency's Public Assistance Program: Report on administrative withdrawal of application for aid under FEMA's Public Assistance Program in relation to the June and July, 2014, storm damage.

**PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):**

EMERGENCY MANAGEMENT (277611)

Urban Area Security Initiative (UASI) Trailers: Authorize transfer of title of four, twenty-foot trailers to the Minnesota Counties of Isanti, Sherburne, Chisago, and Carver.

POLICE DEPARTMENT (277612)

Byrne Criminal Justice Innovation Grant: Authorize acceptance of grant award from the US Department of Justice, \$100,000, for a planning grant researching crime and factors in specific hotspots that may lead to crime, and develop cross sector strategies to improve public safety.

POLICE DEPARTMENT (277613)

Traffic Safety Enforcement Grant Award: Authorize acceptance of grant award from the Minnesota Department of Public Safety, \$372,388, and execute the 2015 Toward Zero Deaths grant agreement for traffic safety enforcement; Authorize agreements with the Police Departments of the University of Minnesota, Golden Valley, Crystal, Hopkins, Robbinsdale and New Hope to share the grant funds.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (277614)

Promoting Equity Through and Around Improved Transit: Report and PowerPoint presentations.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

**PUBLIC WORKS AND ENGINEERING (277615)**

Stormwater Pond Dredging: Amendment to contract with Sunram Construction, Inc.

**PUBLIC WORKS AND ENGINEERING (277616)**

Traffic Signal at Harvard St SE and Beacon St SE: Maintenance agreement with University of Minnesota.

**PUBLIC WORKS AND ENGINEERING (277617)**

Uptown, Dinkytown, Central Ave, Stadium Village, Nicollet Ave S, South Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S Special Service Districts: Assessment public hearing.

**PUBLIC WORKS AND ENGINEERING (277618)**

Water and Sewer Service Line Repairs: Assessment public hearing; Comments.

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

**PUBLIC WORKS AND ENGINEERING (277619)**

Central Corridor Green Line LRT Project: a) Subordinate Funding Agreement 25 with Metropolitan Council; and b) Endorsement of Federal Fiscal Year 2014 Federal Transit Administration (FTA) Certifications and Assurances.

**PUBLIC WORKS AND ENGINEERING (277620)**

Engineering Lab Budget: Increase appropriation for the purchase of a drilling machine.

**PUBLIC WORKS AND ENGINEERING (277621)**

OP 7975, Single bid of Central Mine Equipment Company for boring and subsurface exploration drilling machine.

**PUBLIC WORKS AND ENGINEERING (277622)**

OP 8002, Single bid of Veit Disposal Systems for disposal of construction debris and miscellaneous waste.

**PUBLIC WORKS AND ENGINEERING (277623)**

Special Service District Snow & Ice Removal: Contract extension with Custom Products and Services for 2014-2015.

**WAYS AND MEANS (See Rep):**

**ATTORNEY (277624)**

Legal Services Panel: Authorize execute Second Amendment to Master Agreement for Legal Services with Lockridge Grindal Nauen, PLLP, to increase by \$150,000.

**ATTORNEY (277625)**

Legal Settlements: Laurence N. Stewart v. City of Minneapolis (\$118,000).

**CITY CLERK (277626)**

Temporary Services Contract: Amend agreement with Office Team to increase by \$25,000 and extend to February 28, 2015.

**COMMUNICATIONS (277627)**

Donation of Digital Billboard Display Time: Accept digital billboard space from Clear Channel Outdoor for communicating pet licensing, graffiti removal and the November election.

COMMUNICATIONS (277628)

Donation of Public Service Announcements: Accept broadcast airtime from Comcast Cable for public service announcements.

CONVENTION CENTER (277629)

Bids: OP 7990 - Accept low bid of All State Communications, Inc. for structure cabling improvement project (\$1,220,000).

EXECUTIVE COMMITTEE (277630)

Internal Auditor: a) Approve the recommendation for a market exception for salary for the Internal Auditor (625 points/Grade 13); b) Approve the salary structure for the position, effective October 10, 2014, and authorize annual step movement for the incumbent.

FINANCE DEPARTMENT (277631)

2014 3rd Quarter Gift Acceptance: Authorize accept gifts to the City valued under \$15,000.

FINANCE DEPARTMENT (277632)

Fire Station No. 5 and No. 7 Contract Amendment: Increase contract (C-38168) with JPMI Construction Company (\$48,192), to correct unforeseen building conditions not included within the original scope of work.

FINANCE DEPARTMENT (277633)

Internet Destination Sales System (iDSS) (subsidiary of Meet Minneapolis) Software System: Execute a Termination and Release Agreement related to the Pledged Interest in iDSS software system.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277634)

Geographic Information Services (GIS) Boundary Editing Tool: a) Authorize extend contract with Geographic Information Services, Inc. for three years to provide a GIS boundary editing tool; b) Increase contract (\$35,000); and c) Update the Terms and Conditions to reflect current standards.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277635)

Microsoft Office Software Migration: Execute contract with Microsoft for one year (\$50,000) and authorize use of Microsoft's contract documents instead of the City's Standard Agreement for Premier Core Services.

**ZONING AND PLANNING (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277636)

Draft 2040 Parks Policy Plan.

PLANNING COMMISSION/DEPARTMENT (277637)

1100-1112 Quincy St NE Vac-1636 with Special School District No. 1.

PLANNING COMMISSION/DEPARTMENT (277638)

Conservation District Amendment Zoning Code Text Amendment revising Title 23, Chapter 599 relating to Heritage Preservation: Heritage Preservation Regulations, establishing the parameters and process for creating conservation districts.

PLANNING COMMISSION/DEPARTMENT (277639)

Nicollet Island East Bank Small Area Plan.

PLANNING COMMISSION/DEPARTMENT (277640)

Off-Street Parking Regulations Zoning Code Text Amendment amending Chapter 551 related to Zoning Code: Overlay Districts.

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PLANNING COMMISSION/DEPARTMENT (277641)

Secondhand Goods Zoning Code Text Amendment revising Chapter 548 related to Zoning Code: Commercial Districts.

PLANNING COMMISSION/DEPARTMENT (277642)

Sheridan Neighborhood Small Area Plan.

PLANNING COMMISSION/DEPARTMENT (277643)

St. Anthony East Neighborhood Small Area Plan.

**FILED:**

J. MICHAEL NOONAN, REAL ESTATE MANAGER HENNEPIN CO (277644)

Vacate storm sewer easements 5292628 and 5607497 in the blocks bounded by 5th & 7th St N, 6th Ave & Railroad track just before Cedar Lake Trail. The sewer easement areas to be vacated are abandoned and since been replaced with new storm sewers are located next to Target Field.

Official Posting: 10/24/2014

Corrections: 10/29/2014