

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF APRIL 3, 2015

(Published April 11, 2015, in *Finance and Commerce*)

### CALL TO ORDER

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

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

On motion by Glidden, the agenda was adopted.

On motion by Glidden, the minutes of the regular meeting of March 20, 2015, were adopted.

On motion by Glidden, 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 April 8, 2015. 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 COMMITTEE OF THE WHOLE submitted the following report:**

**COW** - Your Committee recommends approval of the Visual Identity and Graphic Standards Policy relating to refreshed letterhead, business cards, and envelopes for all official City correspondence, superseding all previous Council actions related to stationery use/standards, and that all City materials follow the City graphics standards to project a cohesive, professional City brand and save dollars on printing costs and staff time. Further, your Committee recommends that staff be directed to review and clarify, as necessary, protocols relating to usage and oversight of the City's name and brand on projects within Minneapolis and by other jurisdictions that request the name of the City.

On roll call, the result was:

Ayes: Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, Palmisano, President Johnson (11)

Noes: Reich, A. Johnson (2)

The report was adopted.

APRIL 3, 2015

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

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-137 authorizing sale of land Model City Urban Renewal Area Disposition Parcels TF-365 (2933 5th Ave S) and MC 282-10 (2937 5th Ave S).

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2015R-137  
By Goodman**

**Authorizing sale of land Model City Urban Renewal Area Disposition Parcels TF-365 (2933 5th Ave S) and MC 282-10 (2937 5th Ave S).**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels TF-365 and MC 282-10, in the Phillips West neighborhood, from Cedar and Riverside Company, hereinafter known as the Redeveloper, the Parcels TF-365 and MC 282-10, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**LEGAL DESCRIPTIONS:**

TF-365; 2933 5th Avenue South: Lot 18, Block 1, Hances Addition to Minneapolis;

MC 282-10; 2937 5th Avenue South: Lot 17, Block 1, Hance's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$36,000 each, for Parcels TF-365 and MC 282-10 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 14, 2015, a public hearing on the proposed sale was duly held on March 24, 2015, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Model City Urban Renewal Area plan, as amended, is hereby estimated to be the sum of \$36,000 each for Parcels TF-365 and MC 282-10.

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

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

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

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-138 giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development located in the City of Minneapolis (3120 24th Ave S).

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

**RESOLUTION 2015R-138**  
**By Goodman**

**Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development located in the City of Minneapolis.**

Whereas, the City of Minneapolis, a home rule city and political subdivision of the State of Minnesota (the "City"), is authorized, pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"), to develop and administer programs to finance one or more multifamily housing developments within its boundaries; and

Whereas, Section 462C.07 of the Act authorizes the City to issue and sell revenue bonds or obligations to finance programs for the multifamily housing developments; and

Whereas, Corcoran Triangle, LP, a Minnesota limited partnership (the "Borrower"), the General Partner of which is Corcoran Triangle, LLC, a Minnesota limited liability company, has requested that the City adopt a multifamily housing development program (the "Program") to provide for the issuance of tax-exempt multifamily housing revenue bonds in an aggregate principal amount not to exceed \$13 million (the "Bonds") for the purpose of loaning the proceeds thereof to the Borrower, or its affiliate or assign, to finance the acquisition and construction of an approximately 135-unit rental housing development and facilities functionally related and subordinate thereto, located at 3120 - 24th Avenue South in the City (the "Project"), to be owned by the Borrower; and

Whereas, the Community Development and Regulatory Services Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on the Program and the proposed issuance of the Bonds; and

Whereas, the public hearing was preceded by the publication of a notice of public hearing in a newspaper of general circulation in the City at least fifteen (15) days prior to the public hearing before the Community Development and Regulatory Services Committee; and

Whereas, the Program was submitted to the Metropolitan Council for its review and comment in accordance with the requirements of the Act; and

Whereas, the City has been advised by the Borrower that conventional commercial financing is available to pay the capital costs of the Project only on a limited basis and at such high costs of borrowing that the scope of the Project and the economic feasibility of its operations would be significantly affected; and

Whereas, the United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Treasury Regulations, Section 1.150-2 (the "Regulations"), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures of the Project and the costs of issuing the Bonds; and

Whereas, the City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the Bonds after the date of payment of a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act; and

Whereas, based on representations by the Borrower, no expenditures with respect to the Project have been made by the Borrower more than sixty (60) days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Bonds; (ii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of

the Regulations; or (iii) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations); and

Whereas, based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long term-basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof; and

Whereas, the Bonds shall not constitute indebtedness of the City within the meaning of any state constitutional provision or statutory limitation, the Bonds shall not constitute general or moral obligations of the City or give rise to a charge against the general credit or taxing powers of the City, the Bonds shall not constitute or give rise to a pecuniary liability of the City, and the Bonds shall be payable solely out of any funds and properties expressly pledged as security therefor;

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

That the Program is hereby approved and adopted by the City.

Be It Further Resolved that the issuance of the Bonds pursuant to the Program in an aggregate principal amount not to exceed \$13 million is hereby preliminarily approved.

Be It Further Resolved that the City hereby reserves \$13 million of its housing revenue bond entitlement authority or carry forward authority for the financing of the Project.

Be It Further Resolved that the foregoing preliminary approval of the issuance of the Bonds shall be subject to final determination by the City of the terms and conditions of the Bonds and shall not constitute an irrevocable commitment on the part of the City to issue the Bonds.

Be It Further Resolved that this resolution shall constitute an official intent to reimburse original expenditures with respect to the Project paid on or after the date sixty (60) days prior to the date of adoption of this resolution.

Be It Further Resolved that the staff of the City is hereby authorized, in cooperation with bond counsel, to take all steps necessary and desirable to proceed to develop the Program and financing therefor.

Be It Further Resolved that this Resolution shall take effect upon publication.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-139 authorizing the issuance, sale, and delivery of Senior Housing and Healthcare Revenue Bonds (Ecumen – Abiitan Mill City Project), Series 2015; approving the form of and authorizing the execution and delivery of the bonds, and related documents; providing for the security, rights, and remedies with respect to the bonds; and granting approval for certain other actions with respect thereto.

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

**RESOLUTION 2015R-139  
By Goodman**

**Authorizing the issuance, sale, and delivery of Senior Housing and Healthcare Revenue Bonds (Ecumen – Abiitan Mill City Project), Series 2015; approving the form of and authorizing the execution and delivery of the bonds, and related documents; providing for the security, rights, and remedies with respect to the bonds; and granting approval for certain other actions with respect thereto.**

Resolved by The City Council of The City of Minneapolis:

1. **STATUTORY AUTHORIZATION.** The City of Minneapolis, Minnesota (the “City”), is a home rule city and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota, and is authorized by Minnesota Statutes, Chapter 462C, as amended (the “Housing Act”), to carry out the public purposes described in the Housing Act by issuing revenue bonds or other revenue obligations to finance multifamily housing developments located within the City. A multifamily housing development may consist of a combination of a multifamily housing development and a new or existing health care facility if the following conditions are satisfied: (i) the multifamily housing development is designed and intended to be used for rental occupancy; (ii) the multifamily housing development is designed and intended to be used primarily by elderly or physically disabled persons; and (iii) nursing, medical, personal care, and other health-related assisted living services are available on a 24-hour basis in the development to the residents. In the issuance of the City’s revenue bonds and other revenue obligations and in the making of loans to finance multifamily housing developments, the City may exercise, within its corporate limits, any of the powers that the Minnesota Housing Finance Agency may exercise under Minnesota Statutes, Chapter 462A, as amended, without limitation under the provisions of Minnesota Statutes, Chapter 475, as amended.

2. **THE BORROWER AND THE PROJECT.** Ecumen Mill City Quarter, LLC, a Minnesota limited liability company (the “Borrower”), the sole member of which is Ecumen, a Minnesota nonprofit corporation (the “Sole Member”), has requested the participation of the City in the financing of the acquisition, construction, and equipping of a 151-unit multifamily rental housing development and facilities functionally related and subordinate thereto, to be located at 428 Second Street South in the City to be owned by the Borrower (the “Project”). The Project is expected to include 48 memory-care units and 103 apartment homes with home care services that will be provided to elderly residents as a separate charge on an as-needed basis.

3. **THE HOUSING PROGRAM.** A Program for a Multifamily Housing Development (the “Housing Program”) with respect to the Project and the proposed issuance of revenue bonds to finance the Housing Program and the Project was prepared in accordance with the requirements of Section 462C.03, subdivision 1a, of the Housing Act, and is on file with the City. The Housing

Program was submitted to the Metropolitan Council for its review and comments in accordance with the requirements of the Housing Act.

4. PUBLIC HEARING AND PRELIMINARY RESOLUTION. The Community Development and Regulatory Services Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on March 24, 2015, with respect to the Housing Program and the proposed issuance of revenue obligations to finance the Project. The public hearing was conducted at least fifteen (15) days after the publication in a newspaper of general circulation in the City of a notice of such public hearing. The Housing Program is hereby approved and adopted.

5. THE BONDS. The Borrower has requested that the City issue its Senior Housing and Healthcare Revenue Bonds (Ecumen – Abiitan Mill City Project), Series 2015 (the “Bonds”), in an aggregate principal amount of approximately \$32,000,000, for the benefit of the Borrower, pursuant to the terms of an Indenture of Trust, dated on or after April 1, 2015 (the “Indenture”), between the City and U.S. Bank National Association, as trustee, or another trustee to be selected by the Borrower (the “Trustee”). The Borrower has requested that the City loan the proceeds derived from the sale of the Bonds to the Borrower in accordance with the terms and conditions of a Loan Agreement, dated on or after April 1, 2015 (the “Loan Agreement”), between the City and the Borrower. The Borrower proposes to apply the proceeds of the loan made under the provisions of the Loan Agreement (the “Loan”) to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs.

6. OBLIGATIONS OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Bonds is authorized by the Housing Act and is consistent with the purposes of the Housing Act and that the issuance of the Bonds, and the other actions of the City under the Indenture, the Loan Agreement, and this resolution constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Bonds for the financing of the Project and related costs, the City’s purpose is and the effect thereof will be to promote the public welfare of the City and its residents, and to further the purposes and policies of the Housing Act, by providing a multifamily rental housing development in the City in which: (i) apartment homes will be available for senior residents of the City with home-care services provided to the residents on an as-needed basis; and (ii) memory-care units will be available for senior residents requiring appropriate healthcare services.

The Bonds will be issued under the terms of the Indenture and this resolution and the Bonds and the interest on the Bonds: (i) shall be payable solely from the revenues pledged therefor under the Loan Agreement and the revenues derived from the collateral pledged to the payment of the Bonds; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City’s interest in the Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

7. ISSUANCE OF THE BONDS. For the purposes set forth above, there is hereby authorized the issuance, sale, and delivery of the Bonds in the maximum aggregate principal amount not to exceed \$32,000,000. The City hereby authorizes the Bonds to be issued as “tax-exempt bonds,” the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes under Section 145 of the Internal Revenue Code of 1986, as amended (the “Code”). The Bonds, substantially in the forms set forth in the Indenture now on file with the City, are hereby approved with the amendments referenced herein. All of the provisions of the Bonds, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the

same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Bonds shall bear interest at the rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be issued in the aggregate principal amount, shall be subject to redemption prior to maturity, shall be in such forms, and shall have such other terms, details, and provisions as are prescribed in the Indenture, in the form now on file with the City, which form is hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Bonds, the stated maturities of the Bonds, the interest rates on the Bonds, and the terms of redemption of the Bonds) as the Finance Officer, in his discretion, shall determine. The execution of the Bonds with the manual or facsimile signature of the Finance Officer or his designee and the delivery of the Bonds by the City shall be conclusive evidence of such determination.

The Bonds shall be special limited obligations of the City payable solely from the revenues provided by the Borrower under the terms of the Loan Agreement and from other revenues and security pledged, assigned, and granted under the Indenture and any other security documents provided by the Borrower to the Trustee. As provided in the Loan Agreement, the Bonds shall not be payable from nor charged upon any funds other than the revenues and other assets pledged to their payment, nor shall the City be subject to any liability thereon, except from the interests of the City in such revenues and security. No holder of the Bonds shall ever have the right to compel any exercise by the City of any taxing powers of the City to pay the Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and the revenues and assets thereunder, which will be assigned to the Trustee under the terms of the Indenture. The Bonds shall recite that the Bonds are issued under the Housing Act, and that the Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

8. THE INDENTURE. The Indenture is hereby approved and the Finance Officer is hereby authorized to execute and deliver the Indenture on behalf of the City. All of the provisions of the Indenture, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Indenture shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution and delivery thereof by the Finance Officer or his designee shall be conclusive evidence of such determination.

9. THE LOAN AGREEMENT. The Finance Officer is hereby authorized and directed to execute and deliver the Loan Agreement. The loan repayments to be made by the Borrower under the Loan Agreement are to be fixed so as to produce revenues sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. All of the provisions of the Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement shall be substantially in the form on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, and as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer or his designee shall be conclusive evidence of such determinations.

10. SECURITY. The City hereby approves the execution by the Borrower and delivery to the Trustee of: (i) any mortgage or security agreements granting a mortgage lien or security interest with respect to the Project or any portion thereof to the Trustee; (ii) one or more collateral assignments of the contracts between the Borrower and the architect and contractor with respect to the Project; (iii) one or more indemnity agreements; and (iv) other security documents that are intended to ensure timely payment of the Loan and the Bonds. The City hereby approves the execution and delivery by the Sole Member or one or more other guarantors of one or more guaranty agreements under which the obligations of the Borrower under the Loan Agreement are guaranteed, in whole or in part, by such guarantors. The City hereby approves a disbursing agreement, between the Borrower, the Trustee, and a disbursing agent to be selected by the Borrower, to provide for the disbursement of the proceeds of the Bonds and the Loan. All such security documents, if any are delivered, shall be substantially in the forms authorized by the Borrower.

11. OTHER CITY DOCUMENTS. The Finance Officer is hereby authorized to execute and deliver, on behalf of the City, such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Bonds, including a Bond Purchase Agreement, dated on or after the pricing date of the Bonds, between the City, the Borrower, and Dougherty and Company LLC, as original purchaser of the Bonds, one or more consents to the assignment of a development agreement and funds made available to the Borrower and the Project by the City, various certificates of the City, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Bonds, a certificate as to arbitrage and rebate and other tax matters, and similar documents, appropriate amendments to the Housing Program, and all other documents and certificates as the Finance Officer and Kennedy & Graven, Chartered, as bond counsel to the City ("Bond Counsel") shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Bonds. The City hereby authorizes Bond Counsel to prepare, execute, and deliver its approving legal opinions with respect to the Bonds.

12. DISCLOSURE DOCUMENTS. The City will not participate in the preparation of a preliminary official statement, an official statement, or other disclosure documents relating to the offer and sale of the Bonds (the "Disclosure Documents"), and will make no independent investigation with respect to the information contained in the Disclosure Documents, including the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. The City hereby approves the Continuing Disclosure Agreement, dated on or after April 1, 2015 (the "Continuing Disclosure Agreement"), between the Borrower and the Trustee for the benefit of the holders of the Bonds, in the form now on file with the City.

13. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the Bonds, the Finance Officer and his designee are hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution on behalf of the City if, after review by the City Attorney and Bond Counsel, the Finance Officer or his designee determines that the execution and delivery of such amendment or supplement is in the interests of the City. The Finance Officer or his designee may impose any terms or conditions on the execution and delivery of any such amendment or supplement as the Finance Officer or his designee deems appropriate.

14. LIMITATIONS OF LIABILITY. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council of the City, or any officer, agent, or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer or employee executing the Bonds shall be personally liable on the Bonds or be

subject to any personal liability or accountability by reason of the issuance thereof. No provision, covenant, or agreement contained in the aforementioned documents, the Bonds, or in any other document relating to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement, which are to be applied to the payment of the Bonds, as provided therein.

Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holders of the Bonds issued under the provisions of this resolution, any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, the Borrower, the Trustee, and the registered and beneficial owners from time to time of the Bonds issued under the provisions of this resolution.

15. SEVERABILITY. In case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Bonds, but this resolution, the aforementioned documents, and the Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

16. VALIDITY OF THE BONDS. The Bonds, when executed and delivered by the Finance Officer or his designee, shall contain a recital that they are issued under the terms and conditions of the Housing Act, and such recital shall be conclusive evidence of the validity of the Bonds and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Bonds, and to the execution and delivery of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

17. ADDITIONAL ACTIONS. The officers of the City, the City Attorney, Bond Counsel, other attorneys, engineers, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Bonds, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Bonds, the aforementioned documents, and this resolution.

18. DESIGNATION AS PROGRAM BONDS. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

19 FEES AND INDEMNIFICATION. The Borrower has agreed to pay the administrative fees of the City in accordance with the policy and procedures of the City. It is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorney's fees and expenses

incurred by the City) arising with respect to the Project or the Bonds, as provided for and agreed to by and between the Borrower and the City in the Loan Agreement.

20. EFFECTIVE DATE. Under the provisions of Article IV, Section 4.4(d), of the Charter of the City this resolution shall take effect and be in force from and after its approval and publication, but only the title of this resolution and a summary, as defined in Minnesota Statutes, Section 331A.01, subdivision 10, of this resolution are required to be published in the official paper of the City.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 4/3/2015.

(Published 4/7/2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-140 authorizing the issuance, sale, and delivery of a Multifamily Mortgage Revenue Note (322 Second Street Apartments, LLP Project), Series 2015; approving the form of and authorizing the execution and delivery of the note, and related documents; providing for the security, rights, and remedies with respect to the note; and granting approval for certain other actions with respect thereto.

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

**RESOLUTION 2015R-140**  
**By Goodman**

**Authorizing the issuance, sale, and delivery of a Multifamily Mortgage Revenue Note (322 Second Street Apartments, LLP Project), Series 2015; approving the form of and authorizing the execution and delivery of the note, and related documents; providing for the security, rights, and remedies with respect to the note; and granting approval for certain other actions with respect thereto.**

Resolved by The City Council of The City of Minneapolis:

1. STATUTORY AUTHORIZATION. The City of Minneapolis is a home rule city, municipal corporation, and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota (the "City"), and is authorized by Minnesota Statutes, Chapter 462C, as amended (the "Housing Act"), to carry out the public purposes described in the Housing Act by issuing revenue bonds or other revenue obligations to finance multifamily housing developments located within the City. In the issuance of the City's revenue bonds and other revenue obligations and in the making of loans to finance multifamily housing developments, the City may exercise, within its corporate limits, any of the powers that the Minnesota Housing Finance Agency may exercise under Minnesota Statutes, Chapter 462A, as amended, without limitation under the provisions of Minnesota Statutes, Chapter 475, as amended.

2. THE BORROWER AND THE PROJECT. 322 Second Street Apartments, LLP, a Minnesota limited liability partnership (the "Borrower"), has requested the participation of the City in the financing of the acquisition, construction, and equipping of a 150-unit multifamily rental housing

development and facilities functionally related and subordinate thereto, located at 322 Second Street in the City to be owned by the Borrower (the "Project").

3. THE HOUSING PROGRAM. A Program for a Multifamily Housing Development (Mill City Quarter Apartments – 322 Second Street Apartments, LLP) (the "Housing Program") with respect to the Project and the proposed issuance of a revenue obligation to finance the Housing Program and the Project was prepared in accordance with the requirements of Section 462C.03, subdivision 1a, of the Housing Act, and is on file with the City. The Housing Program was submitted to the Metropolitan Council for its review and comments in accordance with the requirements of the Housing Act.

4. PUBLIC HEARING. The Community Development and Regulatory Services Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on March 24, 2015, with respect to the Housing Program and the proposed issuance of a revenue obligation to finance the Project. The public hearing was conducted at least fifteen (15) days after the publication in a newspaper of general circulation in the City of a notice of such public hearing. Following the public hearing, the Community Development and Regulatory Services Committee approved the Housing Program and the proposed financing of the Project.

5. THE SERIES 2015 NOTE. The Borrower has requested that the City issue a Multifamily Housing Revenue Note (322 Second Street Partnership, LLP Project), Series 2015 (the "Note"), in an aggregate principal amount not to exceed \$22,000,000 for the benefit of the Borrower. The Borrower has requested that the City: (i) sell the Note to Citibank, N.A., a national banking association (the "Funding Lender"), in accordance with the terms and conditions of a Funding Loan Agreement, dated on or after April 1, 2015 (the "Funding Loan Agreement"), by the Funding Lender and the City; and (ii) loan the proceeds derived from the sale of the Note to the Borrower (the "Borrower Loan") in accordance with the terms and conditions of a Borrower Loan Agreement, dated on or after April 1, 2015 (the "Borrower Loan Agreement"), between the City and the Borrower. The Borrower proposes to apply the proceeds of the loan made under the terms of the Borrower Loan Agreement (the "Loan") to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs.

6. OBLIGATIONS OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Note and the execution and delivery of the Funding Loan Agreement are authorized by the Housing Act and are consistent with the purposes of the Housing Act and that the loan made and obtained under the terms of the Funding Loan Agreement (the "Funding Loan"), the issuance of the Note, and the other actions of the City under the Funding Loan Agreement, the Borrower Loan Agreement, and this resolution constitute a public purpose and are in the interests of the City. In authorizing the Funding Loan and the issuance of the Note for the financing of the Project and related costs, the City's purpose is and the effect thereof will be to promote the public welfare of the City and its residents by providing multifamily housing developments for low or moderate income residents of the City and otherwise furthering the purposes and policies of the Housing Act. The Note will be issued in accordance with the terms and conditions of this resolution and the Funding Loan and the Note and the interest on the Note: (i) shall be payable solely from the revenues pledged therefor under the Funding Loan Agreement and the Borrower Loan Agreement; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the Funding Loan Agreement and the Borrower Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

7. **ISSUANCE OF THE NOTE.** For the purposes set forth above, there is hereby authorized the issuance, sale, and delivery of the Note in the maximum aggregate principal amount not to exceed \$22,000,000. The Note shall bear interest at the rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be in the aggregate principal amount, shall be subject to redemption prior to maturity, shall be in such form, shall be secured and payable from such sources and on such terms, and shall have such other terms, details, and provisions as are prescribed in the Note, in the form now on file with the City, with the amendments referenced herein. The City hereby authorizes the Note to be issued as a "tax-exempt bond," the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes (subject to certain limitations). The Note shall be a special, limited obligation of the City payable solely from the revenues, assets, and other security provided by the Borrower and related parties pursuant to the terms of the Funding Loan Agreement and the Borrower Loan Agreement and other documents delivered by the Borrower and related parties to secure the timely payment of the principal of and interest on the Note. The City Council of the City hereby authorizes and directs the Finance Officer to execute the Note and hereby provides that the Note shall provide the terms and conditions, covenants, rights, obligations, duties, and agreements of the owners of the Note and the City as set forth therein.

All of the provisions of the Note, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The form of the Note now on file with the City is hereby approved, with such necessary and appropriate variations, omissions, and insertions as the Finance Officer of the City, in his discretion, shall determine (including changes to the aggregate principal amount of the Note (subject to an aggregate principal amount not to exceed \$22,000,000), the stated maturity of the Note, the interest rate or interest rates on the Note, the terms of the security and the sources of payment for the Note, and the terms of redemption of the Note). The Finance Officer of the City, in his discretion, may determine to issue the Note in multiple maturity amounts or in series. The execution of the Note with the manual or facsimile signature of the Finance Officer and the delivery of the Note by the City shall be conclusive evidence of such determinations.

8. **THE FUNDING LOAN AGREEMENT.** The Finance Officer is hereby authorized and directed to execute and deliver the Funding Loan Agreement. All of the provisions of the Funding Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Funding Loan Agreement shall be substantially in the form on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, and as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations.

9. **THE BORROWER LOAN AGREEMENT.** The Finance Officer is hereby authorized and directed to execute and deliver the Borrower Loan Agreement. The loan repayments to be made by the Borrower under the Borrower Loan Agreement are to be fixed so as to produce revenues sufficient to pay the principal of, premium, if any, and interest on the Funding Loan and the Note when due. Except for certain reserved rights, the interests of the City in the Borrower Loan Agreement are to be assigned to the Funding Lender in accordance with the terms of the Funding Loan Agreement. All of the provisions of the Borrower Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Borrower Loan Agreement shall be substantially in the form on file with the City which is hereby approved, with such omissions and insertions as do not materially

change the substance thereof, and as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations.

10. SECURITY. The City hereby approves the execution by the Borrower and delivery to the City or the Funding Lender of: (i) a Multifamily Note, to be dated on or after April 1, 2015, from the Borrower to the City and assigned by the City to the Funding Lender in accordance with the terms of an Assignment of Mortgage, dated on or after April 1, 2015 (the "Assignment"), from the City to the Funding Lender; (ii) a Multifamily Mortgage, Assignment of Rents, Security Agreement and Fixture Filing, dated on or after April 1, 2015, from the Borrower to the City, granting a mortgage lien on the Project to the City and assigned by the City to the Funding Lender in accordance with the terms of the Assignment; (iii) one or more collateral assignments of the contracts between the Borrower and the architect with respect to the Project, the Borrower and the general contractor with respect to the Project, the Borrower and the Manager of the Project, and the rights of the Borrower to fees, equity interests, capital contributions, plans and specifications, and Project documents; (iv) one or more environmental indemnity agreements; (v) a replacement reserve agreement; and (vi) other security documents that are intended to secure timely payment of the Loan and the Note. If required by the Funding Lender, the City hereby approves the execution and delivery by one or more guarantors to the Funding Lender of one or more guaranty agreements under which the obligations of the Borrower under the Borrower Loan Agreement are guaranteed by such guarantors. The City hereby approves a Construction Funding Agreement, between the Borrower, the Funding Lender, and a disbursing agent to be selected by the Borrower and the Funding Lender, to provide for the disbursement of the proceeds of the Funding Loan, the Note, and the Borrower Loan. All such security documents shall be substantially in the forms agreed to by the Borrower, the Lender, and the guarantors, if any.

11. THE REGULATORY AGREEMENT. To ensure continuing compliance with certain rental and occupancy restrictions imposed by the Housing Act and Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code"), and to ensure continuing compliance with certain restrictions imposed by the City, the Finance Officer is hereby authorized and directed to execute and deliver a Regulatory Agreement, dated on or after April 1, 2015 (the "Regulatory Agreement"), between the City, the Borrower, and the Funding Lender. The Regulatory Agreement shall be substantially in the form on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations. All of the provisions of the Regulatory Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof.

12. OTHER CITY DOCUMENTS. The Finance Officer is hereby authorized to execute and deliver, on behalf of the City, such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Note, including: (i) the Assignment; (ii) one or more consents to the assignments of any agreements between the Borrower and any other party; (iii) various certificates of the City; (iv) an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Note; (v) a certificate as to arbitrage and rebate and other tax matters; and (vi) similar documents and all other documents and certificates as the Finance Officer shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Note and the execution and delivery of the Funding Loan Agreement. The City hereby authorizes Kennedy & Graven, Chartered, as bond counsel to the City ("Bond Counsel"), to prepare, execute, and deliver its approving legal opinions with respect to the Funding Loan Agreement, the Note, the Borrower Loan Agreement, and related documents.

13. DISCLOSURE DOCUMENTS. The City will not participate in the preparation of any disclosure documents relating to the Funding Loan or the Note (the "Disclosure Documents"), and will make no independent investigation with respect to the information contained in the Disclosure Documents and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. As a condition to the execution and delivery of the Funding Loan Agreement, the Note, and the Borrower Loan Agreement, the Finance Officer shall require the receipt from the Funding Lender of an investment letter containing such terms, covenants, representations, and warranties as the Finance Officer, with the advice of the City Attorney and Bond Counsel, shall deem necessary or appropriate.

14. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the Note and the execution and delivery of the Funding Loan Agreement and the Borrower Loan Agreement, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution on behalf of the City if, after review by the City Attorney and Bond Counsel, the Finance Officer determines that the execution and delivery of such amendment or supplement is in the interests of the City. The Finance Officer may impose any terms or conditions on the execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate.

15. LIMITATIONS OF LIABILITY. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council of the City, or any officer, agent, or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer or employee executing the Funding Loan Agreement, the Note, the Borrower Loan Agreement, or any document related thereto shall be personally liable with respect to such documents or be subject to any personal liability or accountability by reason of the issuance of the Note or the execution and delivery of the Funding Loan Agreement, the Borrower Loan Agreement, or any related documents. No provision, covenant, or agreement contained in the aforementioned documents, the Note, or in any other document relating to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City (except from the revenues derived by the City from the Borrower Loan Agreement) or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Borrower Loan Agreement, which are to be applied to the payment of the Note, as provided therein.

Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holders of the Note issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, the Borrower, and the Funding Lender from time to time of the Note issued under the provisions of this resolution.

16. SEVERABILITY. In case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Note issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Note, but this resolution, the aforementioned documents, and the Note shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

17. VALIDITY OF THE NOTE. The Note, when executed and delivered, shall contain a recital that it is issued under the terms of the Housing Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

18. ADDITIONAL ACTIONS. The officers of the City, the City Attorney, Bond Counsel, other attorneys, engineers, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Note, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Note, the Funding Loan Agreement, the Borrower Loan Agreement, the other documents referred to herein, and this resolution.

19. DESIGNATION AS PROGRAM BONDS. The Note is hereby designated a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

20. FEES AND INDEMNIFICATION. The Borrower has agreed to pay the administrative fees of the City in accordance with the policy and procedures of the City. It is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorney's fees and expenses incurred by the City) arising with respect to the Project, the Note, the Funding Loan, or the Borrower Loan, as provided for and agreed to by and between the Borrower and the City in the Loan Agreement.

21. EFFECTIVE DATE. This resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 4/3/2015.

(Published 4/7/2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-141 approving Business License Operating Conditions relating to the Extended Hours license held by Sal's on Fifth, 10 5th St N, Minneapolis.

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

**RESOLUTION 2015R-141**  
**By Goodman**

**Approving Business License Operating Conditions relating to the Extended Hours license held by Sal's on Fifth, 10 5th St N, Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Extended Hours license held by Sal's on Fifth, 10 5th Street N, Minneapolis:

1. Sal's on Fifth agrees to provide sufficient staff devoted exclusively to security related duties during certain specified hours and days. This security will consist of an off-duty police officer.
2. Sal's on Fifth agrees to employ the aforementioned officer from 12:30 am to 3:30 am on weekends, holidays, and special events. If this security is not sufficient to adequately protect customers and staff, the licensee agrees to increase hours and/or days.
3. Sal's on Fifth agrees to always have a designated manager on duty who will also be in charge of security when the off duty officer is not present.
4. When officers are not present, it will be the responsibility of the manager on duty to keep order and remove loiterers from the immediate area. If management is unable to control an escalating situation, police will be called immediately.
5. Sal's on Fifth agrees to monitor access to the restroom to prevent loitering, use of narcotics, or violent incidents from occurring.
6. Sal's on Fifth agrees that, with input from the Minneapolis Police and Public Works, it will strategically place stanchions outside the restaurant to increase customer and pedestrian safety. One of the off-duty officer's major responsibilities will be pedestrian control on the sidewalk between the light rail station and the entrance to Sal's.
7. In place of a prepaid food charge, Sal's on Fifth agrees to post a minimum purchase requirement.
8. Sal's on Fifth agrees to maintain and enforce a no admittance list.
9. Sal's on Fifth agrees to post their business hours on their front entrance glass door in professionally done lettering.
10. Sal's on Fifth agrees to meet with the MPD to address any security or operational concerns.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**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. 278158 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, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Hodges 4/3/2015.

(Published 4/7/2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-142 approving the Removal and Return of 3712 28th Avenue South to Housing Replacement Tax Increment Financing District III.

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

**RESOLUTION 2015R-142**  
**By Goodman**

**Approving the Removal and Return of 3712 28th Avenue South to Housing Replacement Tax Increment Financing District III.**

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1. Whereas, pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the “City”), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing (“TIF”) districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”); and

1.2. Whereas, Laws of Minnesota 1995, Chapter 264, Article 5, Sections 44 through 47, as amended by Laws of Minnesota 1996, Chapter 471, Article 7; Laws of Minnesota 1997, Chapter 231, Article 10; Laws of Minnesota 2002, Chapter 377, Article 7; Laws of Minnesota 2008, Chapter 154, Article 9; Laws of Minnesota 2008, Chapter 366, Article 5; Laws of Minnesota 2010, Chapter 216, Sections 45 and 46; and Laws of Minnesota First Special Session 2011, Chapter 7, Article 5, Section 11 (collectively, the “Special Legislation”) authorizes the City to establish housing replacement tax increment financing districts; and

1.3. Whereas, by Resolution 95R-397 duly adopted December 29, 1995, Resolution 2008R-275 duly adopted July 11, 2008, and Resolution 2011R-491 duly adopted October 7, 2011, the City approved the Special Legislation; and

1.4. Whereas, by Resolution 96R-210 duly adopted August 9, 1996, the City approved the Housing Replacement District Plan and created a Housing Replacement TIF District. By Resolution 2003R-386 duly adopted August 22, 2003, the City approved the Housing Replacement District II

Plan and created Housing Replacement TIF District II. By Resolution 2009R-602 duly adopted December 18, 2009, the City approved the Housing Replacement District III Plan (collectively with the Housing Replacement District Plan and the Housing Replacement District II Plan, the "Plans") and created Housing Replacement TIF District III (collectively with the Housing Replacement TIF District and Housing Replacement TIF District II, the "Districts"); and

1.5. Whereas, special legislation (2011 Laws of Minnesota First Special Session, Chapter 7, Article 5, Section 11) authorized the City to designate for inclusion in the Districts up to 200 parcels, on a onetime basis, within the area of the City of Minneapolis designated by the Presidential declaration of major disaster FEMA-1990-DR and the City added parcels to Housing Replacement TIF District III ("HRD III") under that authority; and

1.6. Whereas, the Special Legislation and the Plans specify the procedures whereby parcels may be added to and deleted from the Districts. Parcels may be added or deleted by a resolution adopted by the City Council; and

1.7. Whereas, the property at 3712 28th Avenue South (Property Identification Number 01-028-24-43-0201) was added to HRD III by Resolution 2013R-189, duly adopted May 10, 2013; and

1.8. Whereas, a lot line adjustment approved by the City changed the legal description of said property at 3712 28th Avenue South, and a new Property Identification Number will be assigned by Hennepin County.

## Section 2. Findings

2.1. That the Council hereby finds, determines and declares that the property at 3712 28th Avenue South (current Property Identification Number 01-028-24-43-0201) is to be removed from Housing Replacement District III.

2.2. That the Council hereby further finds, determines and declares that following processing of the lot line adjustment and the assignment of a new Property Identification Number by Hennepin County, the property at 3712 28th Avenue South is to be returned to Housing Replacement District III.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**CD&RS** – Your Committee recommends that the proper City officers be authorized to amend Master Contract No. C-28857 with Lifetrack Resources to increase the maximum amount of eligible employment and training services expenditures by \$250,000, for a new maximum amount of \$500,000.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**CD&RS** – Your Committee, having under consideration the Nicollet Hotel Block Development for the City-owned property at 30 S 3rd St, Minneapolis, now recommends awarding of exclusive negotiating rights to United Properties as the developer of said property for a period of 12 months and that the proper City officers be authorized to negotiate redevelopment contract terms and, upon successful negotiation, return for further City Council review and approvals.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**CD&RS** – Your Committee recommends that the proper City officers be authorized to enter into an interim parking rental agreement with Ecumen Mill City, LLC, for parking vehicles on the City-owned 205 Park Ave lot during the construction of the Mill City Quarter senior housing development at 300 2nd St S, Minneapolis, consistent with the terms set forth in the Department of Community Planning & Economic Development staff report.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**CD&RS & W&M** – Your Committee, having under consideration the Mill City Quarter and Abitan mixed-use housing development at 428 2nd St S and 300 2nd St S, Minneapolis, now recommends:

- a) Passage of Resolution 2015R-143 authorizing the sale of 300 2nd St S and 428 2nd St S to Eagle Iron Partners, LLC or Assigned Developers (322 Second Street Apartments, LLP and Ecumen Mill City Quarter, LLC) for a collective price of \$3,161,000;
- b) Passage of Resolution 2015R-144 authorizing a waiver of the Park Land Dedication requirements contingent on execution and filing of a Parkland Development and Easement Agreement between the City, the Minneapolis Park and Recreation Board, 322 Second Street Apartments, LLP, Ecumen Mill City Quarter, LLC and Mill Place, Inc., as described in the Department of Community Planning & Economic Development (CPED) staff report;
- c) Approval of a \$350,000.00 loan in accordance with the Term Sheet;
- d) That the proper City officers be authorized as follows:
  - 1) enter into a Redevelopment Contract(s) and execute any other necessary documents consistent with the Term Sheet;
  - 2) execute a Parkland Development and Easement Agreement as described in the CPED staff report;

- 3) terminate the Parking Lease between Canal Street Limited Partnership and the City upon closing, if requested by the development entities;
- 4) execute one or more agreements with Ecumen Mill City Quarter, LLC and Eagle Iron Partners directing a portion of the brownfield grant funds awarded to Eagle Iron Partners to be provided to the Ecumen Mill City Quarter, LLC project instead.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

Approved by Mayor Betsy Hodges 4/3/2015.

(Published 4/7/2015)

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

**RESOLUTION 2015R-143  
By Goodman and Quincy**

**Authorizing sale of land Industry Square Disposition Parcel A (A-West, 300 2nd St S and A- East, 428 2nd St S).**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel A, in the Downtown Minneapolis neighborhood, from Eagle Iron Partners, LLC or its assigned developers, 322 Second Street Apartments, LLP and Ecumen Mill City Quarter, LLC, hereinafter known as the Redeveloper, the Parcel A, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**LEGAL DESCRIPTIONS:**

A-West; 300 2nd Street South: Lots 1, 2, 3, Block 18, Town of Minneapolis. That part of Lots 4 and 5, Block 18, Town of Minneapolis, and that part of vacated 4th Avenue South, dedicated in said plat as California St., lying northwesterly and southwesterly of the following described line: Beginning at the intersection of the southwesterly line of Block 17, said plat, and its northwesterly extension, with the centerline of said vacated 4th Avenue South; thence northeasterly along said centerline a distance of 29.13 feet; thence northwesterly in a straight line to a point on the southeasterly line of said Block 18 distant 57 feet northeasterly from the most southerly corner of said Block 18; thence northwesterly in a straight line to a point on the northwesterly line of Lot 5, said Block 18, distant 114 feet northeasterly from the most westerly corner of said Lot 5; thence northerly along a curve, concave to the west, having a radius of 297 feet, said curve intersects the northeasterly line of Lot 4, said Block 18, distant 10 feet southeasterly from the most northerly corner of said Lot 4; thence northwesterly along said northeasterly line of said Lot 4 to said most northerly corner of said Lot 4 and said line there terminating;

A- East; 428 2nd Street South: Lot 5, Block 17, Town of Minneapolis. That part of Lots 1, 2, 3, and 4, Block 17, Town of Minneapolis, and that part of Lots 5, 6, and 7, Block 18, said plat, and that part of vacated 4th Avenue South, dedicated in said plat as California St., lying southwesterly of "Line 1" and northeasterly of "Line 2". Said "Line 1" and "Line 2" are described as follows:

“Line 1” Beginning at the most northerly corner of Lot 7, said Block 18; thence on an assumed bearing of South 30 degrees 26 minutes 20 seconds West, along the northwesterly line of said Lot 7, a distance of 38.89 feet; thence South 09 degrees 01 minutes 33 seconds East, a distance of 47.74 feet; thence southerly a distance of 176.86 feet along a nontangential curve concave the northeast having a radius of 248.13 feet and a central angle of 40 degrees 50 minutes 18 seconds, the chord of said curve bears South 28 degrees 26 minutes 31 seconds East, to the intersection with the northwesterly extension of the northeasterly line of Lot 1, said Block 17; thence South 59 degrees 35 minutes 59 seconds east along the northwesterly extension of said northeasterly line of said Lot 1 a distance of 33.70 feet to the most northerly corner of said Lot 1; thence southeasterly, along the northeasterly line of Lots 1, 2, 3, and 4, said Block 17, to the most easterly corner of said Lot 4 and said line there terminating;

“Line 2” Beginning at the most northerly corner of Lot 7, said Block 18; thence southwesterly, along the northwesterly line of said Lot 7, a distance of 38.89 feet; thence southeasterly, deflecting to the left 39 degrees 27 minutes 53 seconds, a distance of 47.74 feet; thence southwesterly, deflecting to the right 89 degrees 20 minutes 09 seconds, a distance of 1.22 feet; thence southeasterly, deflecting to the left 85 degrees 13 minutes 12 seconds, a distance of 47.37 feet, being the point of curvature of a 521.44 foot radius curve, concave to the east, said curve intersects the southwesterly line of said Block 17 at a point distant 130.30 feet northwesterly from the most southerly corner of said Block 17; thence southeasterly along said curve to said southwesterly line of said Block 17; and said line there terminating; and

Whereas, the Redeveloper has offered to pay the sum of \$3,161,000, for Parcel A to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 14, 2015, a public hearing on the proposed sale was duly held on March 24, 2015, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Industry Square plan, as amended, is hereby estimated to be the sum of \$3,161,000 for Parcel A.

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

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

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 4/3/2015.

(Published 4/7/2015)

**RESOLUTION 2015R-144**  
**By Goodman and Quincy**

**Waiving park dedication requirements in exchange for private land maintained for public use.**

Whereas, the Minneapolis Code of Ordinances, sections 598.340 to 598.420, and Chapter 15 of the Minneapolis Park Board ("Park Board") Code of Ordinances (the "Park Dedication Ordinances") establish parkland dedication requirements for certain new projects in the City of Minneapolis; and

Whereas, a mixed-use, affordable housing project to be developed at 300 Second Street South (the "Mill City Quarter Project") and a market-rate, senior housing project to be developed at 428 Second Street South (the "Abiitan Project") fall under the terms of the Park Dedication Ordinances; and

Whereas, the Park Dedication Ordinances provide three park dedication alternatives for new development: the dedication of land, the payment of a fee or the creation of private land maintained for public use; and

Whereas, pursuant to the Park Dedication Ordinances for projects in the downtown area, up to one hundred (100) percent of the requirements that a development dedicate land or cash for public park purposes may be waived by the City and Park Board in exchange for the creation of private land maintained for public use subject to the following conditions:

(1) The land area or value of the land and improvements privately developed and maintained for public use for parks, playgrounds, recreational facilities, wetlands, trails, or open space areas must at least equal that required under the Park Dedication Ordinances;

(2) Land, facilities, and improvements accepted must be accessible to the public in a manner similar to public land;

(3) The City must find that such land and improvements will serve an appropriate public purpose; and

(4) The City, Park Board, and developer of the land must have executed a parkland development agreement ensuring that specified land shall be developed and maintained by the developer to Park Board standards, which shall be enforced through a recorded covenant running with the specified land; and

Whereas, the master developer of the Mill City Quarter Project and the Abiitan Project has requested a waiver of the land or cash dedication requirements of the Park Dedication Ordinances for both projects in exchange for construction of an amenity-rich plaza-street that accommodates automobiles, pedestrians and bicycles adjacent to the Projects on a former rail corridor from First Street South to Second Street South (the "Rail Corridor Property") and in cooperation with Mill Place, Inc. (the "Woonerf"); and

Whereas, the City finds that the agreements negotiated with the owners and developers of the Woonerf Improvements will provide public access to such improvements in a manner similar to public land; and

Whereas, the required park dedication fee for the Mill City Quarter Project would be \$3,000; and

Whereas, the required park dedication fee for the Abiitan Project would be \$58,400; and

Whereas, the value of the Woonerf improvements proposed to be constructed and maintained for public use in conjunction with the Mill City Quarter and Abiitan Projects exceeds \$430,730; and

Whereas, the Park Board staff has been properly consulted in evaluating this waiver request and the terms of the Parkland Development and Easement Agreement;

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

That the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Be It Further Resolved that the value of the land and improvements proposed to be privately developed and maintained for public use in conjunction with the Woonerf improvements exceed the park dedication fees that would otherwise be applied to the Mill City Quarter and Abiitan Projects.

Be It Further Resolved that the Woonerf improvements shall serve the public purpose of expanding and connecting the public trail system in the project neighborhood.

Be It Further Resolved that the City Council of the City of Minneapolis hereby approves the requested waiver of the land and cash dedication requirements of the Park Dedication Ordinances subject to the execution and recording of a Parkland Development and Easement Agreement by and between the property owners, the City of Minneapolis and the Minneapolis Park Board ensuring that the Rail Corridor Property shall be developed and maintained to Park Board Standards, which

agreement shall be recorded and run with the Rail Corridor Property and further authorizes the proper city officials to execute such Parkland Development and Easement Agreement.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 4/3/2015

(Published 4/7/2015)

**CD&RS & W&M** – Your Committee recommends that the proper City officers be authorized to execute an amendment to the Conurbation LLC contract, increasing by \$50,000, for continued project management services for development of green space in the Downtown East project, referred to as Downtown East Commons.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**CD&RS & W&M** – Your Committee recommends that the proper City officers be authorized to execute a Renovation Agreement for the Target Center Renovation Project, with terms modified from the previously approved Term Sheet, as set forth in the Department of Finance and Property Services staff report.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Quincy, Palmisano, President Johnson (11)

Noes: Bender, A. Johnson (2)

The report was adopted.

Approved by Mayor Betsy Hodges 4/3/2015.

(Published 4/7/2015)

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

**HE&CE** - Your Committee recommends that the proper City officers be authorized to execute Amendment No. 4 to Contract No. 35112 with NextGen Healthcare Information Systems, Inc. to purchase three (3) EHR patient portal licenses and monthly subscription fees to allow School Based Clinic (SBC) patients to access their health information and communicate with SBC staff. The modifications do not require any change in contract dates or amounts.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

**HE&CE & W&M** - Your Committee recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Health to accept estimated grant revenue of \$40,000 to address gaps in department plans and response activities related to Ebola Virus Disease. Your Committee further recommends passage of Resolution 2015R-145 increasing the appropriation and revenue estimate in the Health Department Grants-Federal Fund by \$40,000.

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

**RESOLUTION 2015R-145  
By Gordon and Quincy**

**Amending The 2015 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Federal Fund (01300-8600150) by \$40,000 and increasing the revenue estimate (01300-8600150 - Revenue Code 321007) by \$40,000.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**HE&CE & W&M** - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Mississippi Watershed Management Organization to accept a grant in the amount of \$19,200 to hire interns to assist in erosion control enforcement. Your Committee further recommends passage of Resolution 2015R-146 increasing the appropriation and revenue estimate in the Health Department Grants-Other Fund by \$19,200.

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

**RESOLUTION 2015R-146  
By Gordon and Quincy**

**Amending The 2015 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600155) by \$19,200 and increasing the revenue estimate (01600-8600155 - Revenue Code 372001) by \$19,200.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**HE&CE & W&M** - Your Committee, having under consideration the Community Innovation Fund which provides grants to Minneapolis neighborhood organizations to foster innovation and locally relevant approaches to City-identified goals, now recommends:

**HE&CE** - Approval of the Community Innovation Fund Guidelines as set forth in Petition No. 278169.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation in the Neighborhood and Community Relations Department (NCR) Special Revenue Fund by \$300,000 from the existing fund balance.

**W&M** - Approval of the Community Innovation Fund Guidelines as set forth in Petition No. 278169 with the "Eligible Applicants" portion of the guidelines amended to read as follows:

"Eligible Applicants:

One or more recognized neighborhood organizations, and/or community-based non-profit organizations, in the City of Minneapolis."

On motion by Gordon, the following report was substituted for the above report:

**HE&CE & W&M** - Your Committee recommends approval of the Community Innovation Fund Guidelines, as set forth in Petition No. 278169.

On roll call, the result was:

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

Noes: (0)

The substitute report was adopted.

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

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-147 designating the improvement of certain existing streets in the 2015 Street Resurfacing Program, 26th St E and 28th St E Street Resurfacing Project, Special Improvement of Existing Street No. 5277.

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

**RESOLUTION 2015R-147**

**By Reich**

**2015 STREET RESURFACING PROGRAM  
26TH ST E AND 28TH ST E STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5277**

**Designating the improvement of certain existing streets in the 2015 Street Resurfacing Program at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

APRIL 3, 2015

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That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by asphalt mill and overlay and including other street resurfacing related improvements as needed:

26th St E from I-35W Bridge approach panel to Hiawatha Ave; and  
28th St E from I-35W Bridge approach panel to Hiawatha Ave.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**T&PW** - Your Committee, having received a cost estimate of \$1,077,685 for street resurfacing improvements and a list of benefited properties for certain locations in the 26th St E and 28th St E Street Resurfacing Project, Special Improvement of Existing Street No. 5277, as designated by Resolution 2015R-147 passed April 3, 2015, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2015 Uniform Assessment Rates as per Resolution 2014R-503, passed December 5, 2014, to properties in the assessment influence areas for 26th St E and by applying an adjusted Uniform Assessment Rate (UAR) that is 78% of the established 2015 UAR, to properties in the assessment influence areas for 28th St E.

Your Committee further recommends that a public hearing be held on May 5, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-148 designating the improvement of certain existing streets in the Nicollet Mall Street Reconstruction Project, Special Improvement of Existing Street No. 9916.

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

**RESOLUTION 2015R-148**

**By Reich**

**NICOLLET MALL STREET RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 9916**

**Designating the improvement of certain existing streets at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

APRIL 3, 2015

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That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by paving with plant mix asphalt and concrete, with concrete curb and gutter all on a stabilized base and including signage and striping, storm drains, driveways, street lighting, sidewalks and boulevards, urban trees, and other street paving related improvements as needed:

Nicollet Mall from Washington Ave S to Grant St E.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**T&PW** - Your Committee, having received a cost estimate of \$50,000,000 for street construction improvements and a list of benefited properties for certain locations in the Nicollet Mall Street Reconstruction Project, Special Improvement of Existing Street No. 9916, as designated by Resolution 2015R-148, passed April 3, 2015, now recommends that the City Engineer be directed to prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2015 Uniform Assessment Rates as per Resolution 2014R-503, passed December 5, 2014, and a second assessment method using market value developed by Shenhon Company. Your Committee further recommends that any benefited property that would have a total assessment of one dollar or less not be assessed.

Your Committee further recommends that a public hearing be held on May 5, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Sections 24.110 and 95.90, to consider approving the construction of the above-designated street locations, the abandonment and removal of areaways in conflict with the project, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-149 designating the improvement of certain existing streets in the Minnehaha Ave Street Reconstruction Project, Special Improvement of Existing Street No. 6754.

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

**RESOLUTION 2015R-149**

**By Reich**

**MINNEHAHA AVE STREET RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 6754**

**Designating the improvement of certain existing streets at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by paving with plant mix asphalt and concrete, with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Minnehaha Ave from 26th St E to 24th St E.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**T&PW** - Your Committee, having received a cost estimate of \$2,900,000 for street construction improvements and a list of benefited properties for certain locations in the Minnehaha Ave Street Reconstruction Project, Special Improvement of Existing Street No. 6754, as designated by Resolution 2015R-149, passed April 3, 2015, now recommends that the City Engineer be directed to prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2015 Uniform Assessment Rates as per Resolution 2014R-503, passed December 5, 2014. Your Committee further recommends that a public hearing be held on May 5, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Sections 24.110 and 95.90, to consider approving the construction of the above-designated street locations, the abandonment and removal of areaways in conflict with the project, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-150 requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$1,162,625 for certain purposes other than the purchase of public utilities.

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

**RESOLUTION 2015R-150  
By Reich and Quincy**

**Requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$1,162,625 for certain purposes other than the purchase of public utilities.**

APRIL 3, 2015

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Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the 2nd St N, 21st, 30th and 33rd Ave N, 42nd Ave S, Bloomington Ave S and MN-62 Frontage Rd Street Resurfacing Project, Special Improvement of Existing Street No. 5274, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-151 ordering the work to proceed and adopting the special assessments for the 2nd St N, 21st, 30th and 33rd Ave N, 42nd Ave S, Bloomington Ave S and MN-62 Frontage Rd Street Resurfacing Project, 2015 Street Resurfacing Program, Special Improvement of Existing Street No. 5274.

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

**RESOLUTION 2015R-151  
By Reich and Quincy**

**2015 STREET RESURFACING PROGRAM  
2ND ST N, 21ST, 30TH AND 33RD AVE N, 42ND AVE S,  
BLOOMINGTON AVE S AND MN-62 FRONTAGE RD,  
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5274**

**Ordering the work to proceed and adopting the special assessments for the 2nd St N, 21st, 30th and 33rd Ave N, 42nd Ave S, Bloomington Ave S and MN-62 Frontage Rd Street Resurfacing Project No. 5274.**

Whereas, a public hearing was held on March 3, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, and continued to March 24, 2015, to consider the proposed improvements as designated in Resolution 2015R-040, passed January 30, 2015, and amended by Resolution 2015R-120, passed March 20, 2015, to consider the proposed special assessments, as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-040, passed January 30, 2015, and amended by Resolution 2015R-120, passed March 20, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of \$1,162,624.93 for the 2nd St N, 21st, 30th and 33rd Ave N, 42nd Ave S, Bloomington Ave S and MN-62 Frontage Rd Street Resurfacing Project No. 5274, as on file in the office of the City Clerk, hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2016 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to be on the 2016 real estate tax statements.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract with Minneapolis Refuse, Inc. (MRI) for the collection of garbage, recycling, problem materials, large items, mattresses, yard waste and source-separated organics for approximately one-half of the City's dwelling units for a five-year term from August 31, 2015, through August 30, 2020.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute an agreement with Wachs Water Services to conduct a condition assessment survey of the Minneapolis water distribution system for leakages. The total contract price shall not exceed \$300,000, and the amount is within the project budget.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee, having under consideration the St. Anthony Parkway Bridge over the Burlington Northern Santa Fe (BNSF) Railroad Northtown Yard, now recommends passage of Resolution 2015R-152 authorizing execution of Bridge Bond Grant Agreement No. 06347 with the Minnesota Department of Transportation for the distribution of State Bridge Bonds.

Your Committee further recommends authorizing an amendment to Engineering Services Agreement No. C-37526 with Short Elliot Hendrickson, Inc., increasing the contract by \$285,988, for a revised contract total of \$2,812,331, to assist with construction engineering and extending the effective date of the contract through December 31, 2017.

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

**RESOLUTION 2015R-152**  
**By Reich and Quincy**

**Authorizing execution of Bridge Bond Grant Agreement No. 06347 with the Minnesota Department of Transportation.**

Whereas, the City of Minneapolis has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 27B97; and

Whereas, the Commissioner of Transportation has given notice that funding for this bridge is available; and

Whereas, the amount of the grant has been determined to be \$7,000,000 by reason of the lowest responsible bid;

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

That the City of Minneapolis does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper City officers are hereby authorized and directed, on behalf of the City, to execute and enter into a grant agreement with the Commissioner of Transportation as set and contained in the Minnesota Department of Transportation Agency Agreement Number 06347 concerning the above-referenced grant.

Be It Further Resolved that whereas federal aid funds are being used to participate in the cost of the bridge, the Minnesota State Transportation Fund grant shall be deposited directly into the federal aid agency account and that the records of the City shall so state.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**TPW & W&M** - Your Committee, having under consideration the 7th Street Transit Advantage Project, now recommends:

a) That the proper City officers be authorized to execute an agreement with the Metropolitan Council relating to work in support of the 7th Street Transit Advantage Project; and

b) Passage of Resolution 2015R-153 amending the capital budget by establishing the 7th Street Transit Advantage Project and increasing the appropriation for the project by \$470,000 (\$140,000 from the Metropolitan Council and \$330,000 from the 2015 Permanent Improvement Tax Levy with no revenue increase required).

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

**RESOLUTION 2015R-153  
By Reich and Quincy**

**Amending The 2015 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:

- a) Establishing Project CPV119 - 7th Street Transit Advantage Project;
- b) Increasing the appropriation for Project CPV119 - 7th Street Transit Advantage Project (04100-90109370) by \$470,000; and
- c) Increasing the revenue budget for CPV119 (04100-9010937 - Revenue Source 322502) by \$140,000 to be reimbursed by the Metropolitan Council and the remaining \$330,000 of revenue will be provided by the 2015 Permanent Improvement Tax Levy in Fund 04100 with no revenue increase required.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute Amendment No. 1 to Contract No. C-39000 (OP No. 7979) with Vortech Hydro-Vac, increasing the contract by \$2,513.25, for a revised contract total of \$170,913.25, for construction change orders relating to storm sewer cleaning.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute Subordinate Funding Agreement 26 (SFA 26) with the Metropolitan Council providing for the Metropolitan Council to reimburse the City of Minneapolis an amount not to exceed \$170,000 for staff time, material, and equipment costs incurred by the City for a completed final survey and preparing as-built records of storm and sanitary infrastructure constructed as part of the Central Corridor Light Rail Transit Project (Green Line).

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends authorizing up to \$15,000 in funding for 2015 Bike Week events by reallocating \$15,000 from the Public Works Traffic Program Budget (0100-6850520).

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends approval of the locations and budget for 2015 Open Streets events, as set forth in Petition No. 278180.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute a three-year (3) contract, with an option to extend the contract for up to two (2) additional years, with Parkmobile, LLC for an on-street parking mobile payment system with phased implementation.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends adoption of the 2015 Street Lighting Policy, as set forth in Petition No. 278191.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No. 8043 from Marge Magnuson Construction Company, Inc., in the amount of \$229,765.00, to furnish and deliver all labor, materials, and incidentals necessary for the Double Door and Pivot Gate Installation Project for the Water Treatment and Distribution Division. 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, Gordon, Frey, 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 low bid submitted to the Public Works Department on OP No. 8051 from Graymont (WI), LLC, for an estimated annual expenditure of \$1,800,000.00, to furnish and deliver quick lime to the Water Treatment and Distribution Division for a twelve (12) month period through March 31, 2016. 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, Gordon, Frey, 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. 8059 from Dresser Trap Rock, Inc., for an estimated annual expenditure of \$142,600.00, to furnish and deliver gray/black Class "A" aggregate to the Paving Division as needed 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, Gordon, Frey, 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 low bid submitted to the Public Works Department on OP No. 8064 from Tiller Corporation (d/b/a Commercial Asphalt Company), for an estimated annual expenditure of \$5,324,900.00, to furnish and deliver hot mix asphalt to the Paving Division as needed and called for through March 31, 2016. 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, Gordon, Frey, 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 low bid submitted to the Public Works Department on OP No. 8068 from Cemstone Products Company, for an estimated annual expenditure of \$1,553,475.00, to furnish and deliver Ready Mix Concrete as needed to various City of Minneapolis departments and boards through March 31, 2016. 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, Gordon, Frey, 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 low bid submitted to the Public Works Department on OP No. 8070 from New Look Contracting, Inc., for an estimated expenditure of \$269,144.50, to furnish and deliver all labor, materials, and incidentals necessary for the construction of the Lucy Laney School Pedestrian Crosswalk for the Traffic Division. 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, Gordon, Frey, 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. 8075 from PCI Roads, LLC, for an estimated expenditure of \$94,918.35, to furnish and deliver all labor, materials, and incidentals necessary to complete the construction of the 11th Avenue South Bridge. 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, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

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

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-154 authorizing legal settlements.

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

**RESOLUTION 2015R-154  
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) James Davies v. City of Minneapolis (Court File No. 15-1195), by payment of \$11,500 to James Davies and his attorney, Daniel Bresnahan, payable from Fund/Org. 06900-1500100-145400.

b) Jeffrey David Kingsbury v. Minnesota Department of Transportation and Ampco System Parking (Court File No. 27-CV-14-10257), by payment of \$7,500, payable from Fund/Org. 06900-1501500-145680.

c) Zachary King, Craig Dyer, Jr., and Anthony Wilson v. City of Minneapolis, MPD Officer Heather Sterzinger, MPD Officer Joshua Steward, MPD Officer Adam Lewis, MPD Officer Michael Williams, MPD Officer Kenneth Fucht, MPD Officer Yolanda Wilks, and MPD Sergeant Darah Westermeyer

(Court File No. 13-cv-01431), by payment of \$50,000 to the Plaintiffs and their attorney, Zorislav Leyderman, payable from Fund/Org. 06900-1500100-145400.

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**W&M** - Your Committee, having under consideration the City's participation in three projects with the Hennepin County Attorney's Office and Hennepin County Community Corrections working with chronic offenders to determine if recidivism rates can be further improved by providing active probation supervision resources, now recommends that the proper City officers be authorized to executive two agreements and one amendment with the Hennepin County Department of Community Corrections to provide for three full-time probation officers, as follows:

a) A new agreement to provide one probation officer to supervise a case load of up to 50 chronic offenders identified as the "Downtown 100". The Downtown Improvement District (DID) will contribute \$65,000 for a twelve-month period.

b) A new agreement to provide one probation officer to supervise a caseload of up to 40 chronic livability offenders from the City-wide caseload. The City Attorney's Office will contribute \$50,000 for a twelve-month period.

c) An amendment to agreement C-38555 to provide one probation officer to supervise a caseload of up to 50 chronic offenders identified as the "Downtown 100 and Focus 18/24 offenders". The City Attorney's Office will contribute \$25,000 and the DID will contribute \$25,000 for a total of \$50,000.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee, having under consideration the Visitor Information Center Project at the Minneapolis Convention Center, now recommends approval of the following change orders to allow for close out and final payment for work on the project:

a) OP No. 7885, increase Contract C-38057 with Meisinger Construction Company, Inc. in the amount of \$96,617, for a new total contract amount of \$892,667.

b) OP No. 7902, increase Contract C-38093 with Advance Terrazzo & Tile Company in the amount of \$4,680, for a new total contract amount of \$192,680.

c) OP No. 7885, increase Contract C-38121 with Elliott Contracting Corporation in the amount of \$66,801, for a new total contract amount of \$771,401.

d) OP No. 7885, increase Contract C-38122 with KMH Erectors in the amount of \$9,405, for a new total contract amount of \$260,705.

e) OP No. 7885, increase Contract C-38165 with Empirehouse, Inc. in the amount of \$40,039.23, for a new total contract amount of \$329,039.23.

f) OP No. 7885, increase Contract C-38270 with ThyssenKrupp Elevator Co in the amount of \$14,590, for a new total contract amount of \$106,590.

g) Increase Contract with Northland Mechanical Contractors, Inc. in the amount of \$55,591.45, for a new total contract amount of \$105,291.45.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to execute Amendment No. 2 to Contract C-38168 with JPML Construction Company by increasing the amount by \$19,077, for a new total contract amount of \$808,069, to provide funding for electrical changes and flooring work required for due to unforeseen existing conditions relating to the Fire Station #5 and #7 Improvement Project. The construction contingency for the project will be sufficient to cover the cost of the changes.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to execute an amendment to Contract C-27609 with US Bank-Elavon by extending the term for a six-month period, through October 31, 2015, to allow additional time to evaluate Request for Proposal responses, negotiate a new merchant services contract, and potentially implement a new provider for merchant services (credit card revenue transaction clearing).

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to negotiate and execute an amendment to the Lease Agreement with Larson Properties, LLC, Contract 26108, to add the Flour Exchange Building's sixth floor office space, located at 310 4th Ave S, to the City's existing lease for the Information Technology Department "in-source" functions. Said lease shall be for a period of three years, beginning June 1, 2015, with two one-year renewal options, and will

house 37 to 40 employees for an anticipated total cost of \$110,685 for the first year. Yearly rate adjustments would reflect any increases in operating expenses and market value. As part of the contract negotiations, the owner will complete tenant improvements to arrange and improve the space for the City's needs.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to negotiate and execute a new ten-year lease agreement with Minneapolis Public Schools to rent Hamilton School, located at 4119 Dupont Ave N, for use by the Police Department for training needs. The lease terms will include the following:

- a) Either party shall be able to terminate the ten-year lease with three years notice.
- b) Consistent with the original lease, the City is responsible for daily cleaning, grounds care, and minor maintenance.
- c) The City proposes to spend up to \$4 million in capital improvements and replacements. If the lease is terminated before ten years, Minneapolis Public Schools will reimburse the City a portion of those capital expenditures.

Further, Property Services staff, in cooperation with the Community Planning & Economic Development Department, will start the process to identify potential real estate options to meet the long term needs of the Police Department.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends approval of the following appointments to the Capital Long-Range Improvement Committee (CLIC) for two-year terms beginning January 1, 2015 and expiring December 31, 2016:

City Council Appointments: Stephanie Johnson, Ward 1; and AJ Saddiqui, Ward 6.

Mayoral Appointments: Nicholas Minderman, Ward 3; Nicole Campbell, Ward 10; and Matt Perry, Ward 13.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends approval of the application submitted by the African Community Senior Center for a free "Wireless Community" account, as part of the community benefits agreement of the Wireless Minneapolis contract with U.S. Internet Wireless, in order to provide free computer access to the public and/or digital literacy training.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee, having under consideration the Emergency Response Tracking System utilized by the Department of Regulatory Services, now recommends that the proper City officers be authorized to take the following actions relating to Contract C-23043 with Digital Health Department, Inc., formerly Garrison Enterprises, Inc., for technical support, software maintenance, bug fixes, and changes and/or enhancements to the system:

a) Acknowledging and approving assignment to the new vendor, Digital Health Department (DHD), formerly Garrison Enterprises, Inc.

b) Extending the contract for an additional two-year period, through August 9, 2016.

c) Increasing the contract in amount of \$80,000, for a new total contract amount not to exceed \$413,454.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee, having under consideration the implementation of a Legislative Information Management System to automate the legislative workflow process, meeting minutes, board management, and webcasting for the City Clerk's Office, now recommends that the proper City officers be authorized to terminate Contract C-38376 with Granicus, Inc. for breach of deliverables as stated in the contract.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee, having under consideration provision of support and maintenance of the fire training burn simulator and its associated software used by the Fire Department, now recommends that the proper City officers be authorized to execute an amendment to Contract

C-33030 with Kidde Fire Trainers, Inc. by increasing the amount by \$47,000, for a new contract total amount not to exceed \$161,467, and extending the contract for an additional three years through April 30, 2018, to provide additional services as the sole source provider.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-155 accepting Conference Registration Expenses for the ServiceNow Knowledge 15 Technology Conference to be held April 20-23, 2015, in Las Vegas, Nevada.

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

**RESOLUTION 2015R-155**  
**By Quincy**

**Accepting Conference Registration Expenses for the ServiceNow Knowledge 15 Technology Conference to be held April 20-23, 2015, in Las Vegas, Nevada.**

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 following gift to the City: ServiceNow Knowledge 15 User Conference registration for three Information Technology staff members (Beth Cousins, Gina Filigenzi, and Leslie Tevlin); and

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

Whereas, all such donations have been contributed to assist the City in (public purpose of gift), 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 donation described above is accepted and shall be used for staff to participate in the conference. The cost for travel, accommodations, and meals for the conference will be payable from the Information Technology budget.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**W&M** - Your Committee, to whom was referred by the Executive Committee the 2015 salary adjustment for non-represented employees, now recommends approval of the following salary changes and as more fully set forth in Petn No. 278207 on file in the Office of the City Clerk:

- a) All non-represented employees who meet the criteria for step progression will receive a step progression in 2015, subject to satisfactory or better performance.
- b) Effective at the start of the pay period that includes February 1, 2015, increase the salary schedules, including longevity, by 2.2%.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

**W&M** - Your Committee, to whom was referred by the Executive Committee the 2015 salary adjustment for politically appointed employees, now recommends approval of the following salary changes and as more fully set forth in Petn No. 278208 on file in the Office of the City Clerk:

- a) All politically appointed employees who meet the criteria for step progression will receive a step progression in 2015, subject to satisfactory or better performance.
- b) Effective at the start of the pay period that includes February 1, 2015, increase the salary schedules, including longevity, by 2.2%.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-156 approving the terms of a collective bargaining agreement with the 911 Dispatchers Unit, represented by the Minnesota Public Employees Association, and authorizing execution and implementation of said agreement.

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

**RESOLUTION 2015R-156**  
**By Quincy**

**Approving the terms of a collective bargaining agreement with the 911 Dispatchers Unit, represented by the Minnesota Public Employees Association, and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the 911 Dispatchers Unit, represented by the Minnesota Public Employees Association, for the three-year period effective January 1, 2014, through December 31, 2016, be approved (Petn No. 278210).

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-157 approving the terms of a collective bargaining agreement with Laborers Local 363, and authorizing execution and implementation of said agreement.

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

**RESOLUTION 2015R-157**  
**By Quincy**

**Approving the terms of a collective bargaining agreement with Laborers Local 363, and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and Laborers Local 363 for the three-year period effective January 1, 2015, through December 31, 2017, be approved (Petn No. 278209).

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

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

**Z&P** - Your Committee, having under consideration an appeal filed by Ted Irgens of the decision of the Zoning Board of Adjustment granting reasonable accommodation, now recommends that said appeal be denied and that the spacing requirements for the proposed

supportive housing facility in the existing structure at 2118 Blaisdell Ave be waived, subject to the following conditions:

- a) The facility must comply with health and safety regulations such as building and fire codes. Should the facility create a public nuisance or fail to conform to health and safety regulations, local governments may cause such conditions to be abated.
- b) All current and future occupants of the subject property must be diagnosed with a documented disability as described by the Americans' with Disabilities Act.
- c) The exterior of the home and the yard will be kept in excellent physical condition. Damaged or worn out materials will be promptly repaired or replaced.
- d) The House Rules will be posted in a conspicuous location within the home. All residents, guests, and associated persons must comply with the House Rules and other applicable operational agreements at all times.
- e) The City of Minneapolis shall be promptly notified if there are any changes in use or maximum occupancy or any changes to the Residence Agreement or House Rules that could potentially increase the potential for adverse off-site impacts. These changes include, but are not limited to: occupancy, building alterations, and residency requirements.

Your Committee further recommends that supplemental Findings of Fact and Recommendation prepared by the City Attorney, 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, Gordon, Frey, 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 an interim use permit application submitted by Franklin Bakery to allow a temporary parking lot at the property located at 1919-1921 10th Ave S, and a public hearing having been held thereon, now recommends Denial by Necessity of the interim use permit.

On motion by Bender, the report was postponed.

**Z&P** – Your Committee, having received an application submitted by Master Properties, on behalf of Franklin Bakery, to rezone the property located at 1919 10th Ave S by adding the TP Transitional Parking Overlay District to allow a temporary parking facility, now recommends, the rezoning be denied.

Your Committee further recommends adoption of the Findings as prepared by the City Planning Commission.

On motion by Bender, the report was postponed.

**Z&P** – Your Committee, having under consideration the proposed process for the Art in Public Places five-year capital plan, now recommends approval of the plan.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2015-Or-005 amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability, allowing flexibility in regulations governing placement of containers for household refuse.

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

**ORDINANCE 2015-Or-005**  
**By Bender**  
**Intro & 1st Reading: 10/17/2014**  
**Ref to: Z&P**  
**2nd Reading: 4/3/2015**

**Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.**

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

Section 1. That Section 535.80 of the above-titled ordinance be amended to read as follows:

**535.80. Screening of refuse and recycling storage containers.** Refuse, ~~and~~ recycling storage, and compost containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

Section 2. That Section 535.280, Table 535-1 of the above-titled ordinance be amended to read as follows:

**535.280. - Obstructions in required yards.**

(a) In general. All required yards shall remain open and unobstructed from ground level to the sky, except as otherwise provided below.

(b) Permitted obstructions. Accessory uses and structures and projections of the principal structure may be located in a required yard only as indicated by a "P" for permitted in Table 535-1 Permitted Obstructions in Required Yards.

(c) Additional limitations. In no case shall any permitted obstruction be located closer than one (1) foot from the property line, except for driveways, walkways, fences, detached accessory buildings, the storage of firewood and containers for the removal of household refuse, subject to the provisions of this section. In addition, notwithstanding Table 535-1 Permitted Obstructions in Required Yards, required interior side yards for nonresidential uses shall remain unobstructed from the ground level to the sky, except that fencing and retaining walls shall be allowed.

(d) Interior side yards for detached buildings accessory to dwellings. The interior side yard requirement for a detached accessory building may be reduced to one (1) foot when the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, provided that the accessory building shall be located not less than ten (10) feet from any habitable portion of a principal structure on the adjoining lot. Further, the required side yard for a detached accessory building may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet. Where the interior side yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed.

(e) Rear yards for detached buildings accessory to dwellings. The rear yard requirement for a detached accessory building may be reduced to one (1) foot, except where vehicle access doors face the rear lot line, in which case no reduction of the required yard is permitted. Further, where a rear yard abuts a required side yard no reduction of the required yard is permitted unless the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located behind the rear wall of the principal structure on the adjacent property to the rear. The required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet of both properties. Where the rear yard is reduced, eaves, including gutters, shall not be less than six (6) inches from the property line, except where a common wall is allowed.

(f) Accessory buildings on reverse corner lots. An accessory building shall be no closer to the side lot line adjacent to the street than a distance equal to two-thirds ( $2/3$ ) of the depth of the required front yard specified in the yard requirements table of the district of the adjacent property to the rear. Further, an accessory building shall not be located within five (5) feet of a rear lot line that coincides with the side lot line of a property in a residence or office residence district. However, where the entire accessory building is located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and is located not less than ten (10) feet from any habitable portion of a principal dwelling on the adjacent property, only one (1) foot shall be required along such adjacent property line, except as otherwise prohibited by this zoning ordinance. Further, the required yard along such adjacent property may be eliminated where adjoining property owners construct detached garages sharing a common wall and which are located in the rear forty (40) feet.

(g) Interior side yards for driveways accessory to dwellings. The yard requirement for a driveway may be eliminated where adjoining property owners share a common driveway.

(h) Rear yards. For purposes of Table 535-1 Permitted Obstructions in Required Yards, a rear yard abutting a required side yard shall be considered an interior side yard and shall be subject to the permitted obstructions regulations for such interior side yard.

**Table 535-1 Permitted Obstructions in Required Yards**

Type of Obstruction	Front or Corner Side Yard	Interior Side Yard	Rear Yard
Accessory buildings, subject to the provisions of <a href="#">Chapter 537</a> and <a href="#">section 535.280</a> (d), (e) and (f)		P	P
Air conditioning window units projecting not more than eighteen (18) inches into the required yard	P	P	P
Air conditioning systems, heating, ventilating, and filtering equipment, not to exceed five (5) feet in height. Such equipment shall not be located closer than two (2) feet from an interior side property line. Such equipment may project into a corner side yard, provided such equipment is located no closer than three (3) feet from the corner side lot line		P	P
Arbors, or other growing support structures that are not a fence, trellis or pergola, not exceeding twenty (20) square feet in area, including eaves, and not more than eight (8) feet in height. Both the sides and the roof must be at least fifty (50) percent open, or, if latticework is used, shall be less than sixty (60) percent opaque. Such structures shall not be constructed of electrically charged wire, razor wire, chain link, chicken wire, railroad ties, utility poles, plywood or any other similar materials.	P		P
Awnings and canopies, projecting not more than two and one-half (2½) feet into front or side yards	P	P	P
Balconies, decks and ground level patios not exceeding fifty (50) square feet in area and projecting not more than four (4) feet into the required yard. Such balcony, deck or ground level patio may project into a required interior side yard of a multiple-family dwelling of four (4) or more stories, provided such balcony, deck or ground level patio shall be located no closer than ten (10) feet from the interior side lot line. Ground-level patios up to one hundred (100) square feet, constructed of decorative concrete, pavers or stone, may extend more than four (4) feet into the required front yard accessory to single- and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units provided the patio is located not less than ten (10) feet from a public sidewalk and shall be designed in a manner that would prevent the patio from being used for off-street parking.	P		P
Bay windows not exceeding fifty (50) square feet in area and projecting not more than five (5) feet into the required yard	P		
Bicycle racks accessory to multiple-family dwellings of five (5) units or more and non-residential uses. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures and shall permit the locking of the bicycle frame and one (1) wheel to the rack and support a bicycle in a stable position without damage to the wheels, frame or components. Except for Institutional and Public Uses, no more than eight (8) bicycle parking spaces may be located in each required yard.	P		P
Chimneys projecting not more than two (2) feet into the required yard	P	P	P

Compost containers, subject to the provisions of <a href="#">Chapter 244</a> , Housing Maintenance Code, and not closer than twenty (20) feet from any adjacent dwelling			P
Containers for the removal of household refuse, subject to the provisions of <a href="#">Chapter 244</a> , Housing Maintenance Code. <u>In a required interior side yard, such containers shall be located in the rear forty (40) feet or rear twenty (20) percent of the lot, whichever is greater, and shall be located a minimum of ten (10) feet from the habitable portion of any dwelling on the adjoining lot.</u>		<u>P</u>	P
Driveways, subject to the provisions of <a href="#">Chapter 541</a> , Off-Street Parking and Loading, <a href="#">Chapter 537</a> , Accessory Uses and Structures, and <a href="#">section 535.280(g)</a>	P	P	P
Eaves, including gutters, projecting not more than three (3) feet from the building in the required front, rear or corner side yard and not more than two (2) feet from the building in the required interior side yard	P	P	P
Egress window wells not exceeding sixteen (16) square feet in area. Such window wells shall not be located closer than two (2) feet from an interior side property line	P	P	P
Fences including trellises, subject to Article VI of this chapter	P	P	P
Flagpoles, subject to <a href="#">section 535.110</a>	P	P	P
Handicap entrance landing not exceeding thirty-six (36) square feet in area and not more than the height of the level of the first floor or four (4) feet above the average level of the adjoining natural grade whichever is less, and handrails not more than three (3) feet in height and not more than fifty (50) percent opaque, not including permanently roofed porches	P	P	P
Handicap ramp not exceeding four (4) feet in width leading to an entrance landing and handrails not more than three (3) feet in height and not more than fifty (50) percent opaque.	P	P	P
Lighting fixtures and lampposts, subject to <a href="#">section 535.110</a>	P		P
Open porches, projecting not more than eight (8) feet from the building. The porch shall be covered and may extend the width of the dwelling, provided it shall be no closer than three (3) feet from an interior side lot line and no closer than six (6) feet from a dwelling on an adjacent property. Such porch shall be no closer than ten (10) feet from the front lot line and no closer than five (5) feet from the corner side lot line. The porch shall not be enclosed with windows, screens or walls, but may include handrails not more than three (3) feet in height and not more than fifty (50) percent opaque. The finish of the porch shall match the finish of the dwelling or the trim on the dwelling. For the purpose of this section, raw or unfinished lumber shall not be permitted on an open porch.	P		
Parking areas, subject to the provisions of <a href="#">Chapter 541</a> , Off-Street Parking and Loading, <a href="#">Chapter 537</a> Accessory Uses and Structures, and <a href="#">section 535.280</a> (d), (e) and (f)		P	P
Pergolas, subject to the provisions of <a href="#">Chapter 537</a> , Accessory Uses and Structures, and <a href="#">section 535.280</a> (d), (e) and (f). In a front or corner side yard pergolas shall not exceed twenty (20) square feet in area, including eaves, and not more than eight (8) feet in height.	P	P	P

Rain barrels and cisterns accessory to single- and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units shall be limited to a maximum height of four (4) feet and a maximum width of two and one-half (2.5) feet. Rain barrels and cisterns accessory to multiple-family dwellings of five (5) units or more and non-residential uses shall be limited to a maximum height of six (6) feet and a maximum width of three (3) feet. No more than two (2) rain barrels or cisterns may be located in each required yard.		P	P
Raised planting beds, not exceeding three (3) feet in height. In a front or corner side yard raised planting beds shall not be closer than five (5) feet to a front or corner side property line. Raised planting beds shall be constructed of wood, brick, masonry, landscape timbers, metal, ceramic, or synthetic lumber and shall be compatible with the principal structure and adjacent residential properties. Raised planting beds constructed of wood shall be structurally sound and free of rot. In addition, prefabricated raised planting beds shall be permitted. Raised planting beds shall not be constructed of wire, chicken wire, rope, cable, railroad ties, utility poles, tires, plumbing fixtures or any other similar materials.	P		P
Recreational playground equipment			P
Retaining walls, where natural grade is retained	P	P	P
Signs, subject to the provisions of <a href="#">Chapter 543</a> , On Premises Signs	P		
Stairs not exceeding four (4) feet in width, and entrance landings not exceeding sixteen (16) square feet in area and not more than the height of the level of the first floor or four (4) feet above the average level of the adjoining natural grade whichever is less, and handrails for such stairs not more than three (3) feet in height and not more than fifty (50) percent opaque, not including permanently roofed porches. In a front or corner side yard stairs shall not exceed eight (8) feet in width and entrance landings shall not exceed thirty-six (36) square feet in area. Stairs for Institutional and Public Uses shall not exceed twelve (12) feet in width and entrance landings shall not exceed ninety-six (96) square feet.	P	P	P
Storage of firewood, subject to the provisions of <a href="#">Chapter 244</a> , Maintenance Code		P	P
Utility meters projecting not more than two (2) feet into the required yard	P	P	P
Vestibules not exceeding fifty (50) square feet in area and projecting not more than five (5) feet into the required yard	P		
Walkways, not exceeding six (6) feet in width. Walkways for Institutional and Public Uses shall not exceed twelve (12) feet in width. Except for public recreational walkways and bicycle trails, walkways in required yards shall not be constructed of asphalt.	P	P	P

On roll call, the result was:

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

Noes: (0)

The ordinance was adopted.

**INTRODUCTION & REFERRAL CALENDAR**

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

Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General (amending regulations related to outdoor areas on licensed establishments).

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

Amending Appendix H of the Minneapolis Code of Ordinances relating to Minneapolis Cable Communication Franchises (amending Appendix H by adding a new Chapter 2 granting a cable franchise to CenturyLink).

Pursuant to notice, on motion by Gordon and Yang, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Public Safety, Civil Rights & Emergency Management Committee for a public hearing to be held May 6, 2015:

Amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: In General (repealing Section 385.80 relating to Lurking).

B. Johnson recorded as voting no.

Pursuant to notice, on motion by Gordon and Yang, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Public Safety, Civil Rights & Emergency Management Committee for a public hearing to be held May 6, 2015:

Amending Title 11, Chapter 213 of the Minneapolis Code of Ordinances relating to Health and Sanitation: In General (repealing Section 213.30 relating to Spitting; depositing tobacco).

On motion by Palmisano, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Transportation & Public Works Committee:

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks by adding a new Chapter 428 to be entitled "50th & France Special Service District (establishing the 50th & France Special Service District).

**RESOLUTIONS**

Resolution 2015R-158 reaffirming the City's commitment to champion civil rights and equity was adopted.

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

**RESOLUTION 2015R-158**

**By B. Johnson**

**Reaffirming the City's Commitment to Champion Civil Rights and Equity.**

Whereas, the Indiana State Legislature passed and Indiana Governor Mark Pence signed into law Senate Enrolled Act No. 101, titled as the "Religious freedom Restoration Act"; and

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Whereas, Indiana's new statute provides individuals and any type of business, whether for-profit or non-profit, irrespective of its purpose, the right, based on religious belief, to discriminate against a person because of his or her sexual orientation or any other protected category; and

Whereas, Indiana's new statute is inconsistent with the work and values of the Minneapolis City Council and Mayor to promote equity, to end discrimination, to eliminate institutional racism and to advance social justice for the people of Minnesota; and

Whereas, Indiana's new statute expressly provides that Indiana's law does not provide a person a right to access the civil justice system if he or she is subjected to a discriminatory act as a result of its enactment; and

Whereas, the City of Minneapolis is a welcoming, inclusive City that values the contributions and safety of all who live, work and visit the City and as an employer the contributions and safety of all its employees; and

Whereas, the City of Minneapolis is pleased to support Indianapolis Mayor Greg Ballard and the Indianapolis City-County Council who have called upon Governor Pence and the Indiana General Assembly either to repeal the discriminatory law or to enact state-wide legal protections for LGBT people; and

Whereas, the Indiana State Legislature passed and Indiana Governor Mark Pence signed an amendment to the new statute yesterday, April 2, 2015, adding a new Section 0.7, which states that the statute does not: (1) authorize a provider to refuse to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member of the general public on the basis of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service; (2) establish a defense to a civil action or criminal prosecution for refusal to provide such services; or (3) negate any rights available under the constitution of the State of Indiana; and

Whereas, the State of Arkansas enacted a similar statute as Indiana and also amended said law yesterday, April 2, 2015, so that it conforms to an existing federal law; and

Whereas, the State of Indiana, along with twenty-seven other states in the nation, offer no protections in housing, employment, and public accommodations to gay, lesbian, bisexual and transgender citizens, leaving these people exposed to discrimination in a variety of ways every day of their lives;

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

That the Minneapolis City Council hereby affirms the City's commitment to civil rights and ensuring equity for all people in Minneapolis and beyond and calls on the State of Indiana as well as the other twenty-seven states in the nation which offer no protections in housing, employment, and public accommodations to gay, lesbian, bisexual and transgender citizens, to establish this group of people as a protected class and put into place these protections as quickly as possible and to then vigorously enforce and protect the civil rights of all people within their borders regardless of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or any other protected class status and to prevent discrimination against any protected group.

Resolution 2015R-159 honoring Erik Hansen for 12 years of service to the City of Minneapolis was adopted.

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

**RESOLUTION 2015R-159**

**By Goodman**

**Honoring Erik Hansen for 12 years of service to the City of Minneapolis.**

Whereas, Erik Hansen has served the City of Minneapolis for over 12 years through his employment with the Minneapolis Community Development Agency and the Community Planning and Economic Development Department (CPED); and

Whereas, Erik's diverse skills and aptitudes led to his involvement in the planning and implementation of a multitude of redevelopment projects throughout the city that will continue to provide enormous benefits to the residents, neighborhoods and business communities of Minneapolis for years to come; and

Whereas, among Erik's many notable accomplishments are his leadership in the redevelopment of the southeast corner of Penn and Lowry Avenues bringing an Aldi grocery store to North Minneapolis, the redevelopment of 1101 West Broadway transforming a derelict tax forfeited building into the headquarters of Emerge, spearheading early City financial support and sponsorship of an Economic Development Administration grant to facilitate the renovation of the former North Branch Library as the Emerge Technology Center, bringing a transparency and fairness to the City's management of commercial parking lots in Cedar Riverside, and his active, engaged support of small businesses on Nicollet Avenue during the reconstruction of that important commercial corridor; and

Whereas, Erik was a long-serving member of the CPED Labor-Management Committee, bringing positive energy and creative ideas for collaboration to that body; and

Whereas, Erik has also served the community in other ways, including serving on the Minneapolis Bicycle Advisory Committee when the Bicycle Master Plan was being prepared and serving for many years as an election judge, including helping facilitate the first use of Ranked Choice Voting; and

Whereas, Erik's knowledge, skills, integrity and dedication to his profession, along with his even-tempered and positive approach to his work and his steadfast willingness to mentor and advise colleagues have earned him the deep respect and affection of his colleagues; and

Whereas, Erik grew up in the Linden Hills neighborhood, attended Minneapolis public schools, graduated from Southwest High School and the University of Minnesota, and is raising his family in the Victory neighborhood; and

Whereas, Erik departed employment with the City of Minneapolis to pursue a promotional opportunity at the City of Brooklyn Park;

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

That on behalf of the citizens of the City of Minneapolis, the City Council honors and commends Erik Hansen for his service and thanks him for his many contributions to the quality of life within the City.

Be It Further Resolved that the members of the City Council wish Erik much personal fulfillment and professional growth during this next stage of his career.

**ADJOURNMENT**

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

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**COMMITTEE OF THE WHOLE (See Rep):**

EXECUTIVE COMMITTEE (278147)

City Stationery and Graphics Standards.

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COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278148)

Corcoran Triangle, LP (3120 24th Ave S): Resolution giving preliminary approval to the issuance of Tax-Exempt Multifamily Housing Revenue Entitlement Bonds.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278149)

Ecumen Mill City Quarter, LLC – Abiitan (428 2nd St S): Resolution giving preliminary and final approval to the issuance of Tax Exempt Senior Housing and Healthcare Revenue Bonds.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278150)

Housing Replacement District III (re 3712 28th Ave S): Resolution removing 3712 28th Ave S from Housing Replacement District III and placing it back in the district once a new property identification number is assigned.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278151)

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COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278152)

Land Sale (2933 5th Ave S and 2937 5th Ave S): To Cedar and Riverside Company.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278153)

Lifetrack Resources Master Contract: Authorizing an increase in the maximum amount of eligible employment and training services expenditures by \$250,000.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278154)

Mill City Quarter (300 2nd St S): Resolution granting preliminary and final approval to the issuance of Tax Exempt Multifamily Housing Revenue Entitlement Bonds.

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Nicollet Hotel Block Development Rights Designation (30 S 3rd St): Awarding exclusive negotiating rights to United Properties.

LICENSES AND CONSUMER SERVICES (278156)

Ambiente Gallerie (505 1st Ave NE): Application for a Rental Hall license (see L&CS agenda council action).

LICENSES AND CONSUMER SERVICES (278157)

La Ceiba Bistro (3500 Bloomington Ave S): Application for an On Sale Wine with Strong Beer with Class C-2 license (see L&CS agenda council action).

LICENSES AND CONSUMER SERVICES (278158)

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LICENSES AND CONSUMER SERVICES (278159)

Sal's on Fifth (10 N 5th St): Resolution approving Operating Conditions for Extended hours license (also see L&CS agenda council action).

LICENSES AND CONSUMER SERVICES (278160)

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Land Sale (Mill City Quarter and Abiitan): Resolution authorizing sale of property at 300 2nd St S and 428 2nd St S to Eagle Iron Partners, LLC or Assigned Developers (322 Second Street Apartments, LLP and Ecumen Mill City Quarter, LLC); Passage of Resolution authorizing a waiver of the Park Land Dedication requirement; Approving loan and related actions.

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

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HEALTH DEPARTMENT (278168)

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NEIGHBORHOOD AND COMMUNITY RELATIONS (278169)

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PUBLIC WORKS AND ENGINEERING (278171)

Minneapolis Pedestrian Advisory Committee: Annual Report.

PUBLIC WORKS AND ENGINEERING (278172)

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PUBLIC WORKS AND ENGINEERING (278175)

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PUBLIC WORKS AND ENGINEERING (278179)

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Bid: OP 8070, Low bid of New Look Contracting, Inc. for Lucy Laney School Pedestrian Crosswalk.

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St. Anthony Parkway Bridge Over Burlington Northern Santa Fe Northtown Yard: a) Amend contract with Short Elliot Hendrickson, Inc; and b) Bond Agreement with Minnesota Department of Transportation.

PUBLIC WORKS AND ENGINEERING (278194)

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**WAYS AND MEANS:**

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2015 Capital Long-Range Improvement (CLIC) Schedule and Guidelines.

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

ATTORNEY (278196)

Legal Settlement: James Davies v. City of Minneapolis.

ATTORNEY (278197)

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Probation Officer Services: Executing one amendment to contract C-38555 and two agreements with Hennepin County Department of Community Corrections for three full-time probation officers to provide active supervision of chronic offenders.

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Visitor Information Center: Increasing Contract C-38057 with Meisinger Construction Company, Inc. to allow for close out and final payment for work on the Visitor Information Center at the Minneapolis Convention Center.

CONVENTION CENTER (278201)

Visitor Information Center: Increasing Contract C-38093 with Advance Terrazzo & Tile Company to allow for close out and final payment for work on the Visitor Information Center at the Minneapolis Convention Center.

CONVENTION CENTER (278202)

Visitor Information Center: Increasing Contract C-38121 with Elliott Contracting Corporation to allow for close out and final payment for work on the Visitor Information Center at the Minneapolis Convention Center.

CONVENTION CENTER (278203)

Visitor Information Center: Increasing Contract C-38122 with KMH Erectors to allow for close out and final payment for work on the Visitor Information Center at the Minneapolis Convention Center.

CONVENTION CENTER (278204)

Visitor Information Center: Increasing Contract C-38165 with Empirehouse, Inc. to allow for close out and final payment for work on the Visitor Information Center at the Minneapolis Convention Center.

CONVENTION CENTER (278205)

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Visitor Information Center: Increasing Contract with Northland Mechanical Contractors to allow for close out and final payment for work on the Visitor Information Center at the Minneapolis Convention Center.

EXECUTIVE COMMITTEE (278207)

2015 Salary Adjustment - Non-represented Employees: Approve step progression and salary changes effective at the start of the pay period that includes February 1, 2015.

EXECUTIVE COMMITTEE (278208)

2015 Salary Adjustment - Politically Appointed Employees: Approve step progression and salary changes effective at the start of the pay period that includes February 1, 2015.

EXECUTIVE COMMITTEE (278209)

Labor Negotiations: Approve Agreement with Laborers, Local 363, for the period January 1, 2015, through December 31, 2017.

EXECUTIVE COMMITTEE (278210)

Labor Negotiations: Approve Agreement with the 911 Dispatchers Unit, represented by the Minnesota Public Employees Association, for the period January 1, 2014, through December 31, 2016.

FINANCE DEPARTMENT (278211)

Capital Long-Range Improvement Committee (CLIC) Appointments: Approving City Council and Mayoral appointments for two-year terms expiring December 31, 2016: Stephanie Johnson; AJ Saddiqui; Nicholas Minderman, Mayoral appointment; Nicole Campbell; and Matt Perry.

FINANCE DEPARTMENT (278212)

Fire Station #5 and #7 Improvement Project: Increasing contract C-38168 with JPMI Construction Company for electrical changes and flooring work.

FINANCE DEPARTMENT (278213)

Flour Exchange Lease: Approving negotiation and execution of a Lease Contract Amendment to contract C-26108 with Larson Properties, LLC to rent the 6th floor of the Flour Exchange Building at 310 Fourth Ave S.

FINANCE DEPARTMENT (278214)

Hamilton School Lease: Approving negotiation and execution of a new ten-year lease with the Minneapolis Public Schools to use Hamilton School at 4119 Dupont Ave N.

FINANCE DEPARTMENT (278215)

Merchant Services Contract: Extending contract C-27609 with US Bank-Elavon for six months, through October 31, 2015, to allow additional time to evaluate Request for Proposal responses, negotiate a new contract, and potentially implement a new provider for merchant services (credit card revenue transaction clearing).

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278216)

Emergency Operations Fire Training Burn Simulator: Increasing and extending contract C-33030 with Kidde Fire Trainers, Inc. for the support and maintenance of the fire training burn simulator and its associated software.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278217)

Emergency Response Tracking System: Authorizing assignment and extension of contract C-23043 with Digital Health Department, Inc., formerly Garrison Enterprises, Inc., for technical support, software maintenance, bug fixes, and changes/enhancements to the emergency response tracking system being used by Regulatory Services.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278218)

Legislative Information Management System: Termination of contract C-38376 with Granicus, Inc., for Breach of Deliverables.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278219)

Minneapolis Wireless Community: Approving application submitted by African Community Senior Center for free wireless internet account.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278220)

ServiceNow Knowledge 15 Technology Conference: Accepting gift of conference registration expenses for three Information Technology staff to participate in the ServiceNow Knowledge 15 Technology Conference to be held April 20-23, 2015, in Las Vegas, Nevada.

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**ZONING AND PLANNING:**

CITY COUNCIL (278221)

Green Building and Deconstruction Report.

**ZONING AND PLANNING (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278222)

Art in Public Places five-year capital plan.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278223)

Franklin Bakery, 1919 10th Ave S, interim use permit and rezoning.

INSPECTIONS/BOARD OF ADJUSTMENT (278224)

2118 Blaisdell Ave appeal submitted by Ted Irgens of the decision of the Zoning Board of Adjustment granting reasonable accommodation for a proposed supportive housing facility.

PLANNING COMMISSION/DEPARTMENT (278225)

Household Refuse Containers text amendment, amending Title 20, Chapter 535 allowing flexibility in regulations governing placement of containers for household refuse.

**FILED:**

KELLEY BRANDT (278226)

Vacation Application: Regents of the University of Minnesota to vacate Pleasant St SE from Arlington St to University Ave SE.

Official Posting: 4/11/2015