

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
AUGUST 21, 2015**

(Published August 29, 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, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent - Council Member Elizabeth Glidden.

On motion by Cano, the agenda was amended to include under the Order of Resolutions a resolution recognizing the first Saturday in August 2016 as Emiliano Zapata Day.

On motion by B. Johnson, the agenda was amended to include under the Order of Resolutions a resolution authorizing Fire Fighters employed by the City to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the 2015 "Fill the Boot" campaign.

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

On motion by Quincy, the minutes of the regular meeting of August 7, 2015, and the adjourned session held August 12, 2015, were adopted.

On motion by Quincy, 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 August 27, 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 reports:**

The Minneapolis City Council hereby authorizes an amendment to the City of Minneapolis Amended and Restated Health Reimbursement Arrangement Trust Agreement (the "HRA/VEBA Trust" with U.S. Bank, trustee of the HRA/VEBA, to allow for investment flexibility.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes contracts with HealthPartners, Medica, and UCare to provide community-rated Medicare supplement options for retired employees for calendar year 2016.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to the City of Minneapolis Minneflex Plan effective Jan. 1, 2016, that will provide for a carryover of amounts greater than \$25 but less than or equal to \$500 that are remaining in an employee's health care flexible spending account (FSA) as part of the end of the plan year.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

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

The Minneapolis City Council hereby authorizes submittal of the 2014 Consolidated Annual Performance and Evaluation Report, including all public comments, to U.S. Department of Housing and Urban Development by August 28, 2015.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

## AUGUST 21, 2015

---

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-344 approving a special property assessment (Levy No. 19106) for Encaustic LLC, 1401 Marshall St NE, Minneapolis, in the amount of \$114,695, PID 15-029-24-14-0094 and 15-029-24-14-0046, using Property Assessed Clean Energy (PACE) program financing for energy improvements.

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

### **RESOLUTION 2015R-344 By Goodman**

**Adopting the assessments, levying the assessments and adopting the assessment roll for Property Assessed Clean Energy (PACE) charges for the property set forth in Levy No 19106 at 1401 Marshall St NE, Minneapolis.**

Whereas, a public hearing was held on August 11, 2015 in accordance with Minnesota Statutes, Chapter 429 and Article IX, Section 9.6(c) of the Charter of the City of Minneapolis, by authority of Minnesota Statutes, section 216C.435 and section 216C.436 to consider the proposed assessments as shown on the proposed assessment roll and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessment against the property generally described as 1401 Marshall St NE, Minneapolis, MN, 55413, set forth in Levy No 19106 in the total amount of \$114,695 as shown on the proposed assessment roll is hereby adopted and levied.

Be It Further Resolved that the property owner and its successors and assigns have waived the right to challenge or contest the actual assignment amount or term.

Be It Further Resolved that the assessments be collected in semiannual installments commencing in May 2016 and concluding in October 2026 based upon the amortization schedule attached to Levy No 19106.

Be It Further Resolved that the assessment roll as prepared by the City Department of Community Planning and Economic Development be and hereby is adopted and is hereby directed to transmit certified copies of said assessment roll to the Hennepin County Auditor.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-345 approving a special property assessment (Levy No. 19105) for Improvisational Investments, 824 Hennepin Ave, Minneapolis, in the amount of \$172,225, PID 27-029-24-12-0056, using Property Assessed Clean Energy (PACE) program financing for energy improvements.

AUGUST 21, 2015

---

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

**RESOLUTION 2015R-345**  
**By Goodman**

**Adopting the assessments, levying the assessments and adopting the assessment roll for Property Assessed Clean Energy (PACE) charges for the property set forth in Levy No 19105 at 824 Hennepin Ave, Minneapolis.**

Whereas, a public hearing was held on August 11, 2015 in accordance with Minnesota Statutes, Chapter 429 and Article IX, Section 9.6(c) of the Charter of the City of Minneapolis, by authority of Minnesota Statutes, section 216C.435 and section 216C.436 to consider the proposed assessments as shown on the proposed assessment roll and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessment against the property generally described as 824 Hennepin Ave, Minneapolis, MN, 55403, set forth in Levy No 19105 in the total amount of \$172,225 as shown on the proposed assessment roll is hereby adopted and levied.

Be It Further Resolved that the property owner and its successors and assigns have waived the right to challenge or contest the actual assignment amount or term.

Be It Further Resolved that the assessments be collected in semiannual installments commencing in May 2016 and concluding in October 2026 based upon the amortization schedule attached to Levy No 19105.

Be It Further Resolved that the assessment roll as prepared by the City Department of Community Planning and Economic Development be and hereby is adopted and is hereby directed to transmit certified copies of said assessment roll to the Hennepin County Auditor.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-346 approving a special property assessment (Levy No. 19104) for Improvisational Investments, 727 Hennepin Ave, Minneapolis, in the amount of \$175,737, PID 22-029-24-43-0082, using Property Assessed Clean Energy (PACE) program financing for energy improvements.

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

**RESOLUTION 2015R-346**  
**By Goodman**

**Adopting the assessments, levying the assessments and adopting the assessment roll for Property Assessed Clean Energy (PACE) charges for the property set forth in Levy No 19104 at 727 Hennepin Ave, Minneapolis.**

## AUGUST 21, 2015

---

Whereas, a public hearing was held on August 11, 2015 in accordance with Minnesota Statutes, Chapter 429 and Article IX, Section 9.6(c) of the Charter of the City of Minneapolis, by authority of Minnesota Statutes, section 216C.435 and section 216C.436 to consider the proposed assessments as shown on the proposed assessment roll and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessment against the property generally described as 727 Hennepin Ave, Minneapolis, MN, 55403, set forth in Levy No 19104 in the total amount of \$175,737 as shown on the proposed assessment roll is hereby adopted and levied.

Be It Further Resolved that the property owner and its successors and assigns have waived the right to challenge or contest the actual assignment amount or term.

Be It Further Resolved that the assessments be collected in semiannual installments commencing in May 2016 and concluding in October 2026 based upon the amortization schedule attached to Levy No 19104.

Be It Further Resolved that the assessment roll as prepared by the City Department of Community Planning and Economic Development be and hereby is adopted and is hereby directed to transmit certified copies of said assessment roll to the Hennepin County Auditor.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-347 approving the sale of the property at 5207 Girard Ave N, Minneapolis (Disposition Parcel No. TF-791), to MSP Enterprises, LLC for \$5,000, subject to conditions.

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

### **RESOLUTION 2015R-347**

**By Goodman**

#### **Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-791 at 5207 Girard Ave N, Minneapolis.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-791, in the Lind-Bohanon neighborhood, from MSP Enterprises LLC, hereinafter known as the Redeveloper, the Parcel TF-791, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-791; 5207 Girard Avenue North: Lot 2, Block 4, "Le Baron's First Addition to Minneapolis"; and

## AUGUST 21, 2015

---

Whereas, the Redeveloper has offered to pay the sum of \$5,000, for Parcel TF-791 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 July 31, 2015, a public hearing on the proposed sale was duly held on August 11, 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 Vacant Housing Recycling Program plan, as amended, is hereby determined to be the sum of \$5,000 for Parcel TF-791.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development 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 Department of Community Planning & Economic Development Director.

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

## AUGUST 21, 2015

---

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-348 approving the sale of the property at 2424 16th Ave S, Minneapolis (Disposition Parcel No. TF-204), to PRG, Inc. for \$10,100, subject to conditions.

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

### **RESOLUTION 2015R-348 By Goodman**

#### **Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel No TF-204 at 2424 16th Ave S, Minneapolis.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-204, in the East Phillips neighborhood, from PRG, Inc., hereinafter known as the Redeveloper, the Parcel TF-204, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-204; 2424 16th Avenue South: Lot 4, Block 1, "Bowen's" Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$10,100, for Parcel TF-204 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 July 31, 2015, a public hearing on the proposed sale was duly held on August 11, 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 Vacant Housing Recycling Program plan, as amended, is hereby determined to be the sum of \$10,100 for Parcel TF-204.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development 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 Department of Community Planning & Economic Development Director.

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-349 approving the sale of the property at 3712 28th Ave S, (Disposition Parcel No. TF-802) Minneapolis, to Accent Homes, Inc. for \$26,100, subject to conditions.

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

**RESOLUTION 2015R-349**

**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-802 at 3712 28th Ave S, Minneapolis.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-802, in the Standish neighborhood, from Accent Homes, Inc., hereinafter known as the Redeveloper, the Parcel TF-802, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-802; 3712 28th Avenue South: Lot 4, Block 8, Hull's Addition to Minneapolis, except the North 3 feet thereof; and

## AUGUST 21, 2015

---

Whereas, the Redeveloper has offered to pay the sum of \$26,100, for Parcel TF-802 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 July 31, 2015, a public hearing on the proposed sale was duly held on August 11, 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 Vacant Housing Recycling Program plan, as amended, is hereby determined to be the sum of \$26,100 for Parcel TF-802.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development 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 Department of Community Planning & Economic Development Director.

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-350 approving the sale of the property at 3708 28th Ave S, (Disposition Parcel No. VH-116) Minneapolis, to Reuben Moore for \$22,900, subject conditions. If Reuben Moore fails to close, approving the sale of 3708 28th Ave S to Accent Homes, Inc. for \$22,900, subject to conditions.

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

**RESOLUTION 2015R-350**  
**By Goodman**

**Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel VH-116 at 3708 28th Ave S, Minneapolis.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel VH-116, in the Standish neighborhood, from Reuben Moore, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel VH-116, from Accent Homes, Inc. hereinafter known as the Alternate Redeveloper, the Parcel VH-116, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-116; 3708 28th Avenue South: Lot 3, Block 8, Hull's Addition to Minneapolis, except the North 6 feet thereof, and the North 3 feet of Lot 4, Block 8, Hulls' Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$22,900, for Parcel VH-116 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 Alternate Redeveloper has offered to pay the sum of \$22,900 for Parcel VH-116 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements 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 July 31, 2015, a public hearing on the proposed sale was duly held on August 11, 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:

## AUGUST 21, 2015

---

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby determined to be the sum of \$22,900 for Parcel VH-116.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal 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 if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal 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 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

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

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; 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 to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper, as appropriate; 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, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

The Minneapolis City Council hereby approves the application of Top Dog for an Extended Hours License at 424 Hennepin Ave S from 7:00 a.m. to 1:30 a.m., seven days per week, and directs the Department of Community Planning & Economic Development/Licenses & Consumers Services staff to, in the next two to three months, analyze how well the extended hours is functioning as far as crowd control, safety, and the que, and to work with the Minneapolis Police Department to determine if extending operating hours beyond 1:30 a.m. is warranted.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby approves the application of Top Dog for an Extended Hours License at 730 Hennepin Ave S from 7:00 a.m. to 1:30 a.m., seven days per week, and directs the Department of Community Planning & Economic Development/Licenses & Consumers Services staff to, in the next two to three months, analyze how well the extended hours is functioning as far as crowd control, safety, and the que, and to work with the Minneapolis Police Department to determine if extending operating hours beyond 1:30 a.m. is warranted.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-073 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, adding a new subdivision (24) related to lead poisoning.

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

**ORDINANCE 2015-Or-073**

**By Frey**

**Intro & 1st Reading: 7/24/2015**

**Ref to: CD&RS**

**2nd Reading: 8/21/2015**

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.**

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

Section 1. That Section 244.1910 of the above-entitled ordinance be amended to read as follows:

**244.1910. - Licensing standards.**

(a) The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license, or for the imposition of reasonable conditions or restrictions upon such a license pursuant to section 259.165.

(1) The licensee or applicant shall have paid the required license fee.

(2) Rental dwelling units shall not exceed the maximum number of dwelling units permitted by the Zoning Code.

(3) No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the Zoning Code or the Housing Maintenance Code.

(4) The rental dwelling shall not have been used or converted to rooming units in violation of the Zoning Code.

(5) The owner shall not suffer or allow weeds, vegetation, junk, debris, or rubbish to accumulate repeatedly on the exterior of the premises so as to create a nuisance condition under section 227.90 of this Code. If the city is required to abate such nuisance conditions under section 227.100 or collect, gather up or haul solid waste under section 225.690 more than three (3) times under either or both sections during a period of twenty-four (24) months or less, it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license.

(6) The rental dwelling or any rental dwelling unit therein shall not be in substandard condition, as defined in section 244.1920.

(7) The licensee or applicant shall have paid the required reinspection fees.

(8) The licensee or his or her agent shall allow the director of regulatory services and his or her designated representative to perform a rental license review inspection as set forth in section 244.2000(c).

(9) The licensee shall maintain a current register of all tenants and other persons with a lawful right of occupancy to a dwelling unit and the corresponding floor number, and unit number and/or letter and/or designation of such unit within the building. The register shall be kept current at all times. The licensee shall designate the person who has possession of the register and shall inform the director of the location at which the register is kept. The register shall be available for review by the director or their authorized representatives at all times.

(10) The licensee shall submit to the director of regulatory services or an authorized representative of the director, at the time of application for a rental dwelling license and for just cause as requested by the director, the following information: the number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units), specifying for each unit, the floor number, and the unit number and/or letter and/or designation.

(11)

a. There shall be no delinquent property taxes or assessments on the rental dwelling, nor shall any licensee be delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

b. The licensee or applicant shall have satisfied all judgments duly entered or docketed against the licensee or applicant by any court of competent jurisdiction arising out of the operation of a rental property business. This subsection shall not be found to have been violated if the licensee or applicant demonstrates that the underlying case or action leading to the entry of judgment is being properly and timely removed to district court or otherwise appealed, or when the judgment is being paid in compliance with a payment plan accepted by either a court possessing jurisdiction over the judgment or the judgment creditor or during any period when the enforcement of the judgment has been duly stayed by such a court. This subsection shall become effective January 1, 2008.

(12) There is no active arrest warrant for a Minneapolis Housing Maintenance Code or Zoning Code violation pertaining to any property in which the licensee, applicant or property manager has a legal or equitable ownership interest or is involved in management or maintenance.

(13)

a. Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article or canceled pursuant to section 244.1925 or a combination of revocations or cancellations shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five (5) years.

b. Any person(s) who has had an interest in a license revoked pursuant to this article or canceled pursuant to section 244.1925, shall be ineligible from obtaining any new rental dwelling licenses for a period of three (3) years.

(14) No new rental dwelling license shall be issued for the property during the pendency of adverse license action initiated pursuant to section 244.1940.

(15) The licensee or applicant must have a current, complete, and accurate rental dwelling application on file with the director of regulatory services in accord with the provisions of section 244.1840.

(16)

a. Before taking a rental application fee, a rental property owner must disclose to the applicant, in writing, the criteria on which the application will be judged.

b. Application forms must allow the applicant to choose a method for return of the application fee as either 1) mailing it to an applicant's chosen address as stated on the application form, 2) destroying it 3) holding for retrieval by the tenant upon one (1) business-day's notice.

c. If the applicant was charged an application fee and the rental property owner rejects the applicant, then the owner must, within fourteen (14) days, notify the tenant in writing of the reasons for rejection, including any criteria that the applicant failed to meet, and the name, address, and phone number of any tenant screening agency or other credit reporting agency used in considering the application.

d. The landlord must refund the application fee if a tenant is rejected for any reason not listed in the written criteria.

e. Nothing in this section shall prohibit a rental property owner from collecting and holding an application fee so long as the rental property owner provides a written receipt for the fee and the fee is not cashed, deposited, or negotiated in any way until all prior rental applicants either have been screened and rejected for the unit, or have been offered the unit and have declined to take it. If a prior rental applicant is offered the unit and accepts it, the rental property owner shall return all application fees in the manner selected by the applicant, pursuant to section (b).

f. Violation of this subsection, 244.1910(16), may result in an administrative citation, or may contribute to the denial or revocation of a rental license.

g. This subdivision shall become effective December 1, 2004.

(17) An owner shall not have any violations of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, at any rental dwelling which they own or have an ownership interest. A violation of Minnesota Rule Chapter 1300.0120 subpart 1 shall result in a director's determination of noncompliance notice being sent, pursuant to 244.1930 to the owner regarding the rental dwelling where the violation occurred. A second violation, at any rental dwelling in which the owner has an ownership interest, of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, shall result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to 244.1940 of the Code, for the rental dwelling where the second violation occurred.

(18) The owner, where the owner pays the water bill for a rental dwelling, shall not allow the water to be shut off for non-payment. If water to a rental dwelling has been turned off, for lack of payment by the owner it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license or provisional license.

(19) The provisions of this section are not exclusive. Adverse license action may be based upon good cause as authorized by Chapter 4, Section 16 of the Charter. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.

(20) A licensee or owner/landlord shall not be in violation of section 244.265 of this Code, which requires owner/landlords to notify tenants and prospective tenants of pending mortgage foreclosure or cancellation of contract for deed involving the licensed property.

(21) Any person(s), having an ownership or management interest in any property, upon a second violation of section 244.1810 by allowing to be occupied, letting or offering to let to another for occupancy, any dwelling unit without having first obtained a license or provisional license, shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of two (2) years.

(22) The owner or licensee shall not be in violation of section 225.780, which requires every owner of a building containing two (2) or more dwelling units to provide for recycling services.

(23) The licensee or applicant shall not have any unpaid fines or fees owing to the City of Minneapolis related to their rental property.

(24) An owner shall not have any violations of Chapter 240, of this code, adopting Minnesota State Statutes Chapter 144 and amendments thereto and Minnesota Rules, Chapter 4761 and amendments thereto, at any rental dwelling which they own or have an ownership interest. A violation of Chapter 240 of this code, of Minnesota State Statutes Chapter 144 and amendments thereto or of Minnesota Rules, Chapter 4761 and amendments thereto shall result in a director's determination of noncompliance notice being sent, pursuant to 244.1930 to the owner regarding the rental dwelling where the violation occurred. A second violation, at any rental dwelling in which the owner has an ownership interest, of Chapter 240 of this code, of Minnesota State Statutes Chapter 144 and amendments thereto or of Minnesota Rules, Chapter 4761 and amendments thereto, shall result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to 244.1940 of the Code, for the rental dwelling where the second violation occurred.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The ordinance was adopted.

The Minneapolis City Council hereby denies the license application of Kim Yi's LLC and Yong Green for a Massage and Bodywork License at 507 E Lake St, Minneapolis (Kim Yi's), and adopts the administrative hearing officer's Findings of Fact and Conclusions of Law recommending denial of said license.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in File No. 15-00974, 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, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Glidden (1)

The report was adopted.

Approved by Mayor Betsy Hodges 8/22/2015.

(Published 8/25/2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-351 granting approval for the Hennepin County Housing and Redevelopment Authority (HRA) to provide financial assistance from the 2015 Affordable Housing Incentive Fund (AHIF) to eight projects located in Minneapolis.

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

**RESOLUTION 2015R-351**

**By Goodman**

**Granting approval for the Hennepin County Housing and Redevelopment Authority to provide financial assistance to Anishinabe Bii Gii Wiin Housing (\$150,000), City of Lakes Community Land Trust Homebuyer Initiated Program (\$100,000), Corcoran Triangle (\$400,000), Hawthorne EcoVillage (\$450,000), Indian Neighborhood Club Expansion (\$200,000), Opportunity Housing Partnership Preservation (\$200,000), and Seward Towers (\$300,000) under the Minnesota Housing and Redevelopment Authorities Act and Minnesota Statutes, Section 383B.77.**

Whereas, representatives of the Hennepin County Housing and Redevelopment Authority (the "County HRA") have advised the City of Minneapolis, Department of Community Planning and Economic Development that the County HRA proposes to provide financial assistance from Hennepin County's Affordable Housing Incentive Fund in an amount up to \$1,800,000, to seven (7) projects in the City of Minneapolis, Minnesota (the "City"); and

Whereas, pursuant to Minnesota Statutes, Section 383B.77, subd. 3, the County HRA must obtain City approval of any project within the City before it is undertaken by the County HRA;

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

That, as required by Minnesota Statutes, Section 383B.77, subd. 3, and other applicable law, the City Council hereby approves the County HRA exercising its powers in the City for the limited purpose of providing financial support to the Projects in the City, which Projects have requested, or may hereafter request, financial assistance in the combined amount up to \$1,800,000 from the County HRA.

Be It Further Resolved that nothing in this resolution shall create a pecuniary obligation of the City to assist the Projects, nor shall the City be in any way responsible for any financing obligation or agreement of the County HRA with respect to its provision of financial assistance to the Projects.

Be It Further Resolved that the request made hereunder extends only to the powers of the County HRA with respect to the financial assistance the County HRA proposes to provide to the Projects, and the City shall retain all other powers and jurisdiction over matters relating to the City and the Projects.

Be It Further Resolved that nothing in this resolution is intended to endorse the merits of the Projects to be undertaken.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-352 approving the City of Minneapolis support and approving and authorizing Hennepin County Housing and Redevelopment Authority to issue up to \$30 million of Housing Revenue Entitlement Bonds for 4041 Hiawatha Ave S, Minneapolis.

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

**RESOLUTION 2015R-352**  
**By Goodman**

**Approving the issuance of a multifamily housing revenue note (Minneapolis Leased Housing Associates VIII, LLLP Project), Series 2015, in the original aggregate principal amount of \$30,000,000 by the Hennepin County Housing and Redevelopment Authority under Minnesota Statutes, Chapter 462c, as amended.**

Whereas, the Hennepin County Housing and Redevelopment Authority (the “Authority”) is a body corporate and politic organized under the laws of the State of Minnesota and is authorized under Minnesota Statutes, Section 383B.77, as amended, and Minnesota Statutes, Chapters 462C, as amended (the “Act”), to issue revenue obligations to finance multifamily housing developments; and

Whereas, at the request of Minneapolis Leased Housing Associates VIII, LLLP, a Minnesota limited liability limited partnership (the “Company”), the Authority is proposing to issue a Multifamily Housing Revenue Note (Minneapolis Leased Housing Associates VIII, LLLP Project), Series 2015 (the “Series 2015 Note”), in the original aggregate principal amount of up to \$30,000,000 under the provisions of the Act to assist in the financing of the acquisition, rehabilitation, redevelopment, and adaptive reuse of an approximately 78-unit multifamily rental housing development located at 4041 Hiawatha Avenue in the City of Minneapolis (the “City”) for occupancy by persons and families of low-and-moderate income (the “Project”); and

Whereas, the Project will consist of fifty-six (56) one-bedroom units, twenty-one (21) two-bedroom units, and one (1) three-bedroom unit and all of the units will be affordable with eighty percent (80%) of the units rent-restricted and income-restricted to persons and families with incomes not in excess of sixty percent (60%) of area median income and twenty percent (20%) of the units rent-restricted at the area fair market rents; and

Whereas, if a housing project is undertaken in Hennepin County by the Authority then under the provisions of Minnesota Statutes, Section 383B.77, the governing body of the city in which the project is located must approve the project before it is undertaken;

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

Section 1. Approval of Issuance of Series 2015 Note.

1.01. The City approves the Project and approves and authorizes the issuance by the Authority of the Series 2015 Note, in an aggregate principal amount of up to approximately \$30,000,000, to finance the Project.

1.02. The Series 2015 Note is to be issued pursuant to authority granted by the Act. The Series 2015 Note will constitute a revenue obligation secured solely by the Project, revenues derived from the operation of the Project, and other security provided by the Company. The Series 2015 Note will not constitute a general or moral obligation of the Authority, the County, or the City, or be secured by any taxing power of the Authority, the County, or the City.

1.03. The City has determined that it is desirable, feasible, and consistent with the objectives and purposes of the Act, and it is in the best interests of the City, to approve the issuance of the Series 2015 Note by the Authority to provide for, in part, the financing for the Project.

Section 2. Documents Furnished to Bond Counsel. The Finance Officer and other officers of the City are authorized and directed to furnish to Kennedy & Graven, Chartered, as bond counsel ("Bond Counsel"), certified copies of all proceedings and records of the City relating to this Resolution and such other affidavits, certificates, and other documents as may be required by Bond Counsel, and all such certificates, affidavits, and other documents, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

Section 3. 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 and the Series 2015 Note, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2015 Note, the aforementioned documents, and this resolution.

Section 4. Fees and Indemnification. 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 Company. It is understood and agreed by the Company that the Company 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 Series 2015 Note.

Section 5. 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, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

The Minneapolis City Council hereby approves the direction to Finance Department staff to review any of the financial implications suggested in the proposed University Avenue Innovation District plan for a bigger and broader analysis of how this would affect the other work the City is currently committed to, for report back to the Community Development & Regulatory Services Committee on September 15, 2015.

No action was taken on the report; it is still within the purview of the Community Development & Regulatory Services Committee.

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

The Minneapolis City Council hereby recommends:

- a. Passage of Resolution 2015R-353 approving the Corcoran Triangle Tax Increment Financing (TIF) Plan, Modification No. 2 to the Hiawatha and Lake Redevelopment Plan and Modification No. 24 to the Model City Urban Renewal Plan for a housing development at 3120 24th Ave S, Minneapolis.
- b. Passage of Resolution 2015R-354 authorizing the issuance of a limited revenue "Pay-As-You-Go" TIF note to Corcoran Triangle Limited Partnership (LP) in a principal amount not to exceed \$1,500,000.
- c. Passage of Resolution 2015R-355 giving preliminary and final approval to the issuance of up to \$15,000,000 in Tax Exempt Multifamily Housing Entitlement Revenue Bonds.
- d. Authorizing a redevelopment contract and other necessary documents related to the recommended actions with Corcoran Triangle LP or affiliated entity.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and resolutions were adopted.

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

**RESOLUTION 2015R-353**

**By Goodman and Quincy**

**Approving the Corcoran Triangle Tax Increment Financing Plan, Modification No 2 to the Hiawatha and Lake Redevelopment Plan, and Modification No 24 to the Model City Urban Renewal Plan.**

Resolved by the City Council of the City of Minneapolis:

Section 1. Recitals

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

1.2. By Resolution 2000R-217 duly adopted May 19, 2000 and approved May 24, 2000, the City approved the Hiawatha and Lake Redevelopment Plan and thereby established the Hiawatha and Lake Redevelopment Project (the "Project Area"). By Resolution 2002R-259 duly adopted July 26, 2002 and approved July 31, 2002, the City approved Modification No 1 to the Hiawatha and Lake Redevelopment Plan.

1.3. By a resolution duly adopted on June 12, 1970, the City Council approved the Model City Urban Renewal Plan, and thereby established the Model City Urban Renewal Area. Subsequent modifications to the Model City Urban Renewal Plan have been prepared and approved by City Council resolutions.

1.4. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the Corcoran Triangle TIF Plan (the “TIF Plan”), Modification No 2 to the Hiawatha and Lake Redevelopment Plan (“Modification No 2”), and Modification No 24 to the Model City Urban Renewal Plan (“Modification No 24”) (collectively, the “Plans”). The TIF Plan creates a new housing TIF district (the “TIF District”) within the Project Area, designates property to be included in the TIF District, states the City’s objectives, describes proposed development activity, and identifies a budget for expenditures. Modification No 2 expands the boundary of the Project Area to include the property contained within the TIF District. Modification No 24 reduces the boundary of the Model City Urban Renewal Area to exclude the property contained within the TIF District. These actions are all pursuant to and in accordance with the Project Laws.

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

## Section 2. Findings and Election

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

2.2. The Council further finds, determines and declares that the area added to the Hiawatha and Lake Redevelopment Project by Modification No 2 is a redevelopment project pursuant to Minnesota Statutes, Section 469.002, Subdivision 14 and that it is a blighted area pursuant to Minnesota Statutes, Section 469.028, Subdivision 3.

2.3. The Council further finds, determines and declares that the TIF District is a housing district pursuant to Minnesota Statutes, Section 469.174, Subdivision 11.

2.4. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Plans were issued on July 6, 2015, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.5. The Council further finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area and TIF District by private enterprise.

2.6. The Council further finds, determines and declares that the land in the TIF District and Project Area would not be made available for redevelopment without the financial aid and public assistance to be sought.

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

2.8. The Council further finds, determines and declares that the reasons and facts supporting the findings in this resolution are described in the Plans.

2.9. The Council elects the method of computation provided in Minnesota Statutes, Section 469.177, Subdivision 3, Paragraph (a). The Council acknowledges that, by making this election, the entire fiscal disparity contribution required of the City for development occurring within this district will be taken from outside the TIF District.

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

### Section 3. Approval of the Plans

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

### Section 4. Implementation of the Plans

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

4.2. As provided under Minnesota Statutes, Section 469.178, Subdivision 7, this Council hereby authorizes the advance of revenues from other available development revenues of the City in the principal amount needed to offset any negative fund balances incurred with respect to administrative costs related to this TIF District as a result of expenditures incurred prior to or in excess of the collection of tax increment revenue. The interest rate paid on such advances shall be equal to the rate of interest those revenues would have generated in their fund. In no event will the rate of interest charged on the advance exceed the statutory maximum set forth at Minnesota Statutes, Section 469.178, Subdivision 7. The term of this advance shall end upon the termination of the TIF District, although as revenues are available in the fund for the TIF District, the advance shall be offset by such amounts.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

**RESOLUTION 2015R-354**  
**By Goodman and Quincy**

**Authorizing the issuance of a tax increment limited revenue note in substantially the form recited herein in a principal amount not exceeding \$1,500,000 in connection with the Corcoran Triangle Apartments Development.**

Whereas, the City of Minneapolis (the "City"), acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, has certain powers, including without limitation the powers set forth in Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "HRA Act") and Minnesota Statutes, Sections 469.174 through 469.1799, as amended (the "TIF Act"); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes, and in this connection the City is carrying out a redevelopment project known as the Hiawatha and Lake Redevelopment Project (the "Project") pursuant to the Hiawatha and Lake Redevelopment Plan adopted May 19, 2000, as amended (the "Redevelopment Plan"); and

Whereas, in furtherance of the Redevelopment Plan, the City has also approved housing tax increment financing district pursuant to the Corcoran Triangle Tax Increment Financing Plan adopted August 21, 2015 (the "TIF Plan"); and

Whereas, pursuant to the TIF Act, and specifically Minnesota Statutes, Section 469.178, subd. 4, the City is authorized to issue its tax increment limited revenue note(s) to finance the public redevelopment costs of the Project; and

Whereas, the City has entered or will enter into a redevelopment contract (the "Redevelopment Contract") with Corcoran Triangle Limited Partnership (the "Developer"), pursuant to which the Developer will develop a 135-unit affordable rental housing project and related site and public improvements in the Project area and the City will provide tax increment financing assistance consistent with the TIF Plan;

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

1. That it is desirable that the City issue a tax increment limited revenue note (the "Note") in substantially the following form:

[Form of Note]

**UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
CITY OF MINNEAPOLIS**

**TAX INCREMENT LIMITED REVENUE NOTE  
(Corcoran Triangle Apartments)**

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of Corcoran Triangle Limited Partnership, a Minnesota limited partnership (the "Developer"), solely from the source, to the extent and in the manner hereinafter provided, the principal amount of this Note, being \$1,500,000 or such lesser amount as may equal the Public Redevelopment Costs, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

Capitalized terms not defined elsewhere in this Note shall have the meanings below:

**"Available Tax Increment"** means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the school district, the county and the state pursuant to *Minnesota Statutes*, Sections 469.177, Subds. 9, 10, and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) actual administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

**"Contract"** means that certain Redevelopment Contract by and between the City and the Developer dated [insert date], 2015.

**"District"** means the Corcoran Triangle Apartments Tax Increment Financing District within the Project.

**"Maturity Date"** means the earlier of (i) February 1 of the year following the final year of Tax Increment collection from the District; and (ii) the date when the principal and interest amount of this Note has been paid in full.

**"Minimum Improvements"** means new construction of a 135-unit affordable rental housing project and related site and public improvements as described in the Contract.

**"Note Rate"** means five and two-tenths percent (4.8%) per annum, compounded semiannually.

**"Payment Date"** means August 1 of the year of first increment collection from the District and each August 1 and February 1 thereafter until the Maturity Date; provided however that in no event will payments commence before the issuance of the Public Redevelopment Costs Certification and the Certificate of Completion.

**"Project"** means the Hiawatha and Lake Redevelopment Project.

**"Property"** means the real property legally described in the attached **Exhibit A**.

**"Public Redevelopment Costs"** means actual Public Redevelopment Costs as defined in and approved pursuant to the Contract.

**"Public Redevelopment Costs Certification"** means a certificate in substantially the form attached to the Contract, by which the City certifies the Public Redevelopment Costs pursuant to the terms of the Contract.

**"Tax Increment"** means that portion of the property taxes generated by the Property and Minimum Improvements that is actually remitted to the City as tax increment under the Tax Increment Act.

**"Tax Increment Act"** means *Minnesota Statutes*, Section 469.174-469.1799, as amended, or any successor statutes applicable to the District.

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. If an Event of Default by the Developer has occurred under the Contract, then the City may suspend payment on this Note until (a) the Event of Default has been cured

or (b) prior to the issuance of the Certificate of Completion, the Contract and the City's obligations under this Note have been terminated. If the City suspends payments due under this Note, the City shall make the suspended payments to the Developer within ten (10) business days after the Developer has cured the Event of Default. The City is not obligated to pay interest on the amount of the suspended payments between the date the payment is suspended and the last date on which the City is obligated to make the suspended payments to the Developer. If the Developer fails to pay all or a portion of the property taxes due and owing on the Minimum Improvements, then upon such failure to pay, no interest as required by this Note shall accrue on an amount equal to the amount of the Available Tax Increment that would have been paid to the City had such property tax amounts been paid.

Interest shall accrue on the initial principal amount of this Note from the date of issue of the Public Redevelopment Costs Certification. Each payment under this Note, whether a scheduled payment or any other payment, shall be applied first to current interest, then to accrued unpaid interest and then to the unpaid principal amount of this Note.

On the Maturity Date, this Note shall be deemed paid in full and the City shall have no further obligation under this Note even if the aggregate of the Available Tax Increment that has actually been paid to the Developer on the Payment Dates is less than the full principal and interest amount of this Note. The obligation of the City to make any scheduled payment shall terminate if and to the extent that the full principal and interest amount of this Note has been paid in full. This Note may be prepaid in full or in part at any time without penalty.

Each payment on this Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and shall be made by wire transfer pursuant to written wire instructions provided by the Developer or by check or draft made payable to the Developer and mailed to the Developer at the address set forth in the Contract or such other address as the Developer shall provide in writing to the City's notice address in the Contract.

The Note is a special and limited obligation and not a general obligation of the City, which has been issued by the City pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including *Minnesota Statutes*, Section 469.178, subdivision 4, to aid in financing a "project", as therein defined, of the City consisting generally of defraying certain public redevelopment costs incurred by the Developer within and for the benefit of the Project.

**THE NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA, EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THE NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, NOR SHALL THE NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT AS SET FORTH HEREIN.**

This Note shall not be transferred to any person, unless the City has been provided with an opinion of counsel acceptable to the City that such transfer is exempt from registration and official statement delivery requirements of federal and applicable state securities law and an investment letter reasonably acceptable to the City.

This Note shall not be payable from or constitute a charge upon any funds of the City, and the City shall not be subject to any liability hereon or be deemed to have obligated itself to pay hereon from any funds except the Available Tax Increment, and then only to the extent and in the manner herein specified.

The Developer shall never have or be deemed to have the right to compel any exercise of any taxing power of the City or of any other public body, and neither the City nor any person executing or registering this Note shall be liable personally hereon by reason of the issuance of registration thereof or otherwise.

**IT IS HEREBY CERTIFIED AND RECITED** that all acts, conditions and things required by the Constitution and the laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; that this Note is issued pursuant to the Tax Increment Act; and that this Note together with all other indebtedness of the City outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the City to exceed any constitutional or statutory limitation thereon.

**IN WITNESS WHEREOF**, the City of Minneapolis, by action of its Mayor and City Council, has caused this Note to be executed by the manual signature of its Finance Officer, and has caused this Note to be dated \_\_\_\_\_, 2012.

**CITY OF MINNEAPOLIS**

By \_\_\_\_\_  
Kevin Carpenter  
Its Finance Officer

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney  
Developer's Federal Tax Id. No. \_\_\_\_\_

**EXHIBIT A TO NOTE**

[Legal Description of the Property to be Inserted at Closing]

2. Be It Further Resolved that the form of the Note is hereby approved and shall be executed by the Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof.
3. Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the Note are hereby approved, ratified and confirmed.
4. Be It Further Resolved that the sale of said Note to the Developer is hereby approved, and the Note is hereby directed to be sold to the Developer, upon the terms and conditions set forth in the Redevelopment Contract.
5. Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the Note.

6. Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Note or in any other document related to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to 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 tax increment revenues which are to be applied to the payment of the Note, as provided therein and in the Redevelopment Contract. The Note shall not constitute a charge, lien or encumbrance, legal or equitable upon any property or funds of the City except that revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Note or the interest thereon, or to enforce payment hereon against any property of the City. The Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

7. Be It Further Resolved that the Note, when executed and delivered, shall contain a recital that it is issued pursuant to the TIF 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 and in the enactment of this resolution, and precedent to issuance of the Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

8. Be It Further Resolved that this resolution shall be in full force and effect from and after its date of publication.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

**RESOLUTION 2015R-355  
By Goodman and Quincy**

**Authorizing the issuance, sale, and delivery of Multifamily Housing Revenue Notes (Corcoran Triangle Limited Partnership Project), Series 2015; approving the form of and authorizing the execution and delivery of such obligations and related documents; and providing for the security, rights, and remedies with respect to such obligations.**

Resolved by the City Council of the City of Minneapolis:

1. **STATUTORY AUTHORIZATION.** The City of Minneapolis, 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"), is authorized by Minnesota Statutes, Chapter 462C, as amended (the "Act"), to carry out the public purposes described in the Act by issuing its revenue bonds to provide funds to finance multifamily housing developments within its boundaries. In the issuance of revenue

bonds 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. Corcoran Triangle Limited Partnership, a Minnesota limited partnership (the "Borrower"), has requested that the City participate in the financing of the development, acquisition, construction, and equipping of a 135-unit multifamily rental housing development, and facilities functionally related and subordinate thereto, to be located at 3120 - 24<sup>th</sup> Avenue South in the City (the "Project"), through the issuance of conduit revenue obligations the proceeds of which are to be loaned by the City to the Borrower. The Project will be owned and operated by the Borrower or an affiliate, related person, successor, or assign of the Borrower.

3. THE HOUSING PROGRAM. A Program for a Multifamily Housing Development (the "Housing Program") with respect to the Project and the proposed issuance of conduit revenue obligations to finance the Housing Program and the Project was prepared in accordance with the requirements of Section 462C.03, subdivision 1a, of the 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 Act. The City received a letter from the Metropolitan Council providing its comments to the Housing Program and the Project.

4. PUBLIC HEARING AND PRELIMINARY RESOLUTION. The Community Development and Regulatory Services Committee of the Minneapolis City Council held a public hearing on Tuesday, August 11, 2015, with respect to the Housing Program and the proposed issuance of conduit revenue obligations of the City to finance the Project. The public hearing was conducted at least fifteen (15) days after publication of a notice of such public hearing in the official newspaper of the City and in a newspaper of general circulation in the City. Following the public hearing, the Community Development and Regulatory Services Committee approved the Housing Program and the proposed financing and recommended the adoption of this resolution by the City Council.

5. APPROVAL OF SERIES 2015 NOTES AND RELATED FINANCING DOCUMENTS. For the purpose of financing a portion of the costs of the development, acquisition, construction, and equipping of the Project and related costs, there is hereby authorized the issuance, sale, and delivery of conduit revenue obligations of the City, in an aggregate principal amount not to exceed \$15,000,000, for the benefit of the Borrower. The obligations are to be designated as Multifamily Housing Revenue Notes (Corcoran Triangle Limited Partnership Project), Series 2015 (the "Series 2015 Notes"). The Series 2015 Notes may be given a different designation in the discretion of the Finance Officer of the City (the "Finance Officer"). The Series 2015 Notes may be issued in any number of series, as determined in the discretion of the Finance Officer. If issued in two series, the Series 2015 Notes may be designated as: (i) Multifamily Housing Revenue Note (Corcoran Triangle Limited Partnership Project), Series 2015A (the "Series 2015A Note"); and (ii) Multifamily Housing Revenue Note (Corcoran Triangle Limited Partnership Project), Series 2015B (the "Series 2015B Note"). The Series 2015A Note is expected to be issued as a fixed-rate obligation, maturing in approximately thirty (30) years, with a mandatory call in approximately seventeen (17) years, and in a principal amount to be determined by the City, the Borrower, and the purchaser of the Series 2015A Note. The Series 2015B Note is expected to be issued as a variable-rate obligation, maturing in approximately twenty-eight (28) months, and in a principal amount to be determined by the City, the Borrower, and the purchaser of the Series 2015B Note. The Finance Officer, in his discretion, may adjust the terms of each Series 2015 Note, including the principal amount of each Series 2015 Note, as long as the aggregate principal amount of the Series 2015 Notes

does not exceed \$15,000,000. The Series 2015 Notes are to be sold to one or more banks or other financial institutions (the "Lender") in a private placement under terms and conditions negotiated between the Borrower and the Lender. The proceeds derived from the sale of the Series 2015 Notes are to be loaned by the City to the Borrower under the terms of a Loan Agreement, dated on or after August 1, 2015 (the "Loan Agreement"), between the City and the Borrower. The Loan Agreement is hereby approved and the Finance Officer is hereby authorized to execute and deliver the Loan Agreement on behalf of the City. 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 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 shall be conclusive evidence of such determination.

The proceeds of the loan to be made under the terms of the Loan Agreement (the "Loan") are hereby authorized to be applied to the payment of a portion of the costs of the development, acquisition, construction, and equipping of the Project and related costs.

6. LIMITED REVENUE OBLIGATIONS OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Series 2015 Notes is authorized by the Act and is consistent with the purposes of the Act and that the issuance of the Series 2015 Notes, and the other actions of the City under this resolution and the Loan Agreement constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Series 2015 Notes 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 and moderate income residents of the City and otherwise furthering the purposes and policies of the Act. The Series 2015 Notes will be issued under the terms of this resolution. The Series 2015 Notes and the interest on the Series 2015 Notes: (i) shall be payable solely from the revenues pledged therefor under the terms of the Series 2015 Notes and the 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 Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

7. TERMS OF THE SERIES 2015 NOTES. The City hereby authorizes the Series 2015 Notes 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. In accordance with the provisions of Minnesota Statutes, Chapter 474A, as amended ("Chapter 474A"), and Section 146 of the Internal Revenue Code of 1986, as amended (the "Code"), the City shall: (i) allocate to the Series 2015 Notes a portion of its "entitlement issuer allocation" granted under the provisions of Minnesota Statutes, Chapter 474A, as amended ("Chapter 474A"), and Section 146 of the Internal Revenue Code of 1986, as amended (the "Code"); or (ii) allocate to the Series 2015 Notes a portion of its "carryforward allocation"; or (iii) allocate to the Series 2015 Notes a portion of its entitlement issuer allocation and a portion of its carryforward allocation. The Series 2015 Notes, substantially in the forms now on file with the City, are hereby approved with the amendments referenced herein. All of the provisions of the Series 2015 Notes, 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 Series 2015 Notes shall bear interest at the fixed or variable rates, shall be

designated, shall be numbered, shall be dated, shall mature, shall be issued in the aggregate principal amounts, 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 this resolution, the forms of the Series 2015 Notes, and the Loan Agreement, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Series 2015 Notes, the stated maturities of the Series 2015 Notes, the interest rates on the Series 2015 Notes, and the terms of redemption of the Series 2015 Notes) as the Finance Officer, in his discretion, shall determine.

The Series 2015 Notes shall not constitute general or moral obligations of the City but 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 the revenues and security pledged, assigned, and granted under the terms of this resolution, the Series 2015 Notes, the Loan Agreement, and any other security documents provided by the Borrower or any other party to secure the timely payment of the principal of, premium, if any, and interest on the Series 2015 Notes. As provided in the Loan Agreement, the Series 2015 Notes shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Series 2015 Notes shall ever have the right to compel any exercise by the City of any taxing powers of the City to pay the Series 2015 Notes 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 Lender under the terms of an Assignment of Loan Agreement, to be dated on or after August 1, 2015 (the "Assignment of Loan Agreement"), between the City, the Lender, and the Borrower. All of the provisions of the Assignment of 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 Assignment of Loan Agreement 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 shall be conclusive evidence of such determination.

The Series 2015 Notes shall recite that the Series 2015 Notes are issued under the Act, and that the Series 2015 Notes, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Series 2015 Notes shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

8. SECURITY. The City acknowledges and hereby approves any one or more of the following to be provided as security for the payment of the obligations of the Borrower under the Loan Agreement, and the payment of the principal of, premium, if any, and interest on the Series 2015 Notes: (i) a Mortgage, Security Agreement, and Fixture Financing Statement, dated on or after August 1, 2015 (the "Mortgage"), executed and delivered by the Borrower to the City, which Mortgage will be assigned to the Lender under the terms of an Assignment of Mortgage, Security Agreement, and Fixture Financing Statement, dated on or after August 1, 2015 (the "Assignment of Mortgage"), executed and delivered by the City to the Lender; (ii) an Assignment of Leases and Rents, dated on or after August 1, 2015 (the "Assignment"), between the Borrower and the Lender; (iii) a Guaranty, dated on or after August 1, 2015 (the "Guaranty"), from Stephen B. Wellington, Jr. or another or other guarantors; (iv) a Disbursing Agreement, dated on or after August 1, 2015 (the "Disbursing Agreement"), between the Borrower, the Lender, and a disbursing agent selected by the Borrower and the Lender; (v) an Assignment of Capital Contributions, dated on or after August 1, 2015, between the Borrower and the Lender; (vi) a Collateral

Assignment of Architect Contract, dated on or after August 1, 2015, between the Borrower and the Lender; (vii) a Collateral Assignment of Construction Contract, dated on or after August 1, 2015, between the Borrower and the Lender; and (viii) such other security documents as the Borrower, the Lender, and other parties agree are necessary or appropriate to ensure timely payment of the Loan and the Series 2015 Notes. All such security documents may be given such other designations as determined by the City, the Borrower, and the Lender, and shall be substantially in the forms authorized and approved by the Lender and the Borrower.

9. THE REGULATORY AGREEMENT. To ensure continuing compliance with certain rental and occupancy restrictions imposed by the Act, Chapter 474A, and Section 142(d) of 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 August 1, 2015 (the "Regulatory Agreement"), between the City, the Borrower, and the Lender. The Regulatory Agreement shall be substantially in the form now 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.

10. OTHER CITY DOCUMENTS. The Finance Officer is hereby designated as the representative of the City with respect to the issuance of the Series 2015 Notes and the transactions related thereto. The Finance Officer is authorized, upon request, to furnish certified copies of all proceedings and records of the City relating to the Series 2015 Notes, and such other affidavits and certificates as may be required to show the facts relating to the Series 2015 Notes as such facts appear from the books and records in the custody and control of the City; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein. The Finance Officer is hereby further authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Lender, the Borrower, or other persons or entities in conjunction with the issuance of the Series 2015 Notes and the expenditure of the proceeds of the Series 2015 Notes. Without imposing any limitations on the scope of the preceding sentence, the Finance Officer is specifically authorized to execute and deliver such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2015 Notes, including one or more consents to the assignment of a redevelopment agreement, tax increment revenues, and other funds made available to the Borrower and the Project by the City and Hennepin County; an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Series 2015 Notes; an endorsement to any tax certificate as to arbitrage, rebate, and other federal tax matters executed and delivered in connection with the issuance of the Series 2015 Notes, appropriate amendments to the Housing Program, 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 Series 2015 Notes. The Finance Officer is hereby further authorized and directed to execute and deliver all other instruments and documents necessary to accomplish the purposes for which the Series 2015 Notes are to be issued and the Loan Agreement, the Assignment of Loan Agreement, and the Regulatory Agreement are to be executed and delivered. The preparation and filing of Uniform Commercial Code financing statements with respect to the assignment of the interests of the City in the Loan Agreement (excluding any unassigned rights as provided in the Loan Agreement), are hereby authorized. 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 Series 2015 Notes.

11. DISCLOSURE DOCUMENTS. It is not expected that any disclosure documents will be prepared in connection with the issuance and sale of the Series 2015 Notes. In the event that an official statement or other disclosure document is prepared relating to the offer and sale of the Series 2015 Notes (the "Disclosure Documents"), the City will not participate in the preparation or distribution of such 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.

12. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the Series 2015 Notes, 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 and consultation with 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 his execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate.

13. 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, agent, or employee executing the Series 2015 Notes shall be personally liable on the Series 2015 Notes 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 Series 2015 Notes, or in any other document relating to the Series 2015 Notes, 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 Series 2015 Notes, 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 Series 2015 Notes 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 Lender, and any beneficial owners from time to time of the Series 2015 Notes issued under the provisions of this resolution.

14. 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 Series 2015 Notes 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 Series 2015 Notes, but this resolution, the aforementioned documents, and the Series 2015 Notes shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

15. VALIDITY OF THE SERIES 2015 NOTES. The Series 2015 Notes, when executed and delivered, shall contain a recital that they are issued in accordance with the Act, and such recital shall be conclusive evidence of the validity of the Series 2015 Notes 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 Series 2015 Notes, 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.

16. ADDITIONAL ACTIONS. The officers of the City, the City Attorney, Bond Counsel, other attorneys, 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, or the Series 2015 Notes, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2015 Notes, the aforementioned documents, and this resolution.

17. DESIGNATION AS PROGRAM BONDS. The Series 2015 Notes are hereby designated "Program Bonds" and are determined to be within the "Housing 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.

18. FEES AND INDEMNIFICATION. The Borrower has agreed to pay the administrative fees of the City in accordance with the applicable policies 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 and the Series 2015 Notes, as provided for and agreed to by and between the Borrower and the City in the Loan Agreement. The financing transaction represented by the Series 2015 Notes is subject to all existing policies and procedures of the City and is also subject to any conduit bond policies and procedures subsequently adopted by the City to the extent the provisions thereof are intended to be applied retroactively to conduit revenue obligations issued prior to the adoption of such conduit bond policies and procedures.

19. EFFECTIVE DATE. This resolution shall take effect and be in force from and after its approval and publication. In accordance with the terms of 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, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

The Minneapolis City Council hereby approves and authorizes acceptance of environmental remediation grant awards by the Minnesota Department of Employment and Economic Development (DEED) Contamination Cleanup and Investigation Grant Program, Metropolitan Council Livable Communities Tax Base Revitalization Account (TBRA) Grant Program and the Hennepin County Environmental Response Fund (ERF), and authorizes grant, sub-recipient and/or disbursement and related agreements, as follows:

**DEED Grant Projects:**

- a. 700 Central, \$644,411
- b. AC Hotel by Marriot, \$252,939
- c. The Encore, \$225,000
- d. Huron Hotel, \$270,678
- e. North Loop Commons, \$130,977
- f. Superior Plating, \$714,273

**TBRA Grant Projects:**

- a. 4041 Hiawatha, \$130,100
- b. Huron Hotel, \$180,400
- c. PRG Southside Rehabilitation, \$50,000
- d. Seward Towers, \$517,950
- e. Superior Plating, \$798,800

**ERF Grant Projects:**

- a. 700 Central, \$140,620
- b. 4041 Hiawatha, \$130,135
- c. North Loop Commons, \$61,123
- d. Seward Towers, \$221,250
- e. Superior Plating, \$118,233

Further, passage of Resolution 2015R-356 increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

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

**RESOLUTION 2015R-356  
By Goodman 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 as follows:

- a. Increasing the appropriation in the Department of Community Planning and Economic Development (CPED) Agency in the Grants Other Fund (01600-8900320) by \$\$896,117 and Fund (01600-8900220) by \$3,690,772.
- b. Increasing the CPED revenue source in the Grants Other Fund (01600-8900900-321504) by \$2,238,278; Fund (01600-8900900-321513) by \$1,677,250; and Fund (01600-8900900-322002) by \$671,361.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and resolution were adopted.

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

On behalf of the Health, Environment & Community Engagement Committee, Gordon offered Ordinance 2015-Or-074 amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities, amending requirements related to abrasive blasting permits.

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

**ORDINANCE 2015-Or-074**  
**By Gordon**  
**Intro & 1st Reading: 7/24/2015**  
**Ref to: HECE**  
**2nd Reading: 8/21/2015**

**Amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities.**

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

Section 1. That Section 59.50 of the above-entitled ordinance be amended to read as follows:

**59.50. Abrasive blasting permit required.**

(a) No person shall abrasively blast the interior or exterior of any building, structure, or other architectural surface except under specific permit from the Minneapolis Health Department.

(b) The fees for an abrasive blasting permit issued pursuant to paragraph 59.50(a) shall be as established in section 91.70. Permits shall be obtained in advance of the proposed activity.

(c) Parties applying for an abrasive blasting permit must provide forty-eight (48) hours in advance a general notice of their construction activity to all occupants of the building, structure or architectural surface where the construction activity will occur and to all building owners and their tenants within a seventy-five-foot radius of the building, structure or architectural surface to be abrasively blasted. The notice must include contact information for the party performing the construction activity, brief description of the proposed work, intended dates and times and identify that complaints regarding the construction activity will be received by Minneapolis Information and Services by dialing 311 in Minneapolis or 612-673-3000 from cell phones and outside Minneapolis.

(d) All painted surfaces to be abrasively blasted must be tested for lead content following EPA, HUD or ASTM protocols.

(e) All abrasive blasting activity shall meet the following performance standards:

(1) Standards established in Chapters 46, 47, 48, 50, and 389 of this Code;

(2) Standards established in Minnesota Rule Part 7025 if laboratory analysis indicates the presence of lead based paint;

~~(3) Dust generated by the activity must be contained on site; and~~

(f) The following will be considered violations of the permit conditions:

(1) Visible emission of particulate matter, beyond the vertically extended property line of the owner of the property on which abrasive blasting is permitted.

(2) Deposition of visible amounts of particulate matter upon public or other private property.

(3) Failure to obtain a permit from the Minneapolis Health Department to engage in abrasive blasting operation or operating after denial or revocation of such permit; and

~~(fg)~~ Applications for an abrasive blasting permit shall be in such form as prescribed by the Minneapolis Health Department. A copy of the written notice required by 59.50(c) and analytical results required by 59.50(d) must be submitted with the permit application. If analytical results as required by 59.50(d) are not submitted with the application, the permit will not be issued ~~until the city has tested the painted surface~~ until the application is complete.

~~(gh)~~ In the event the applicant cannot perform the abrasive blasting on the scheduled date(s) contained in the application the applicant shall provide notification to the Minneapolis Health Department, the owners of the property, and as required in 59.50(c)~~(3)~~, twenty-four (24) hours prior to the commencement of the rescheduled abrasive blasting operation.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The ordinance was adopted.

On behalf of the Health, Environment & Community Engagement Committee, Gordon offered Resolution 2015R-357 declaring Minneapolis a pollinator-friendly community and encouraging residents and businesses to adopt pollinator-friendly practices.

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

**RESOLUTION 2015R-357  
By Gordon and Palmisano**

**Declaring Minneapolis a pollinator-friendly community and encouraging residents and businesses to adopt pollinator-friendly practices.**

Whereas, pollinators are a necessary component of a healthy ecosystem and food system, providing essential pollination of plants in order to grow vegetables, herbs, and fruits; and

Whereas, pollinator populations are in sharp decline due to an ongoing loss of habitat as a result of human land use practices, coupled with a simultaneous large-scale expansion of pesticide use by homeowners, landscapers, property managers, and farmers; and

## AUGUST 21, 2015

---

Whereas, neonicotinoid and other systemic pesticides have been shown to cause illness and death to bees and other pollinators; and

Whereas, local food production is needed to improve the health and food security of Minneapolis residents and insect pollination is an essential component of local food production; and

Whereas, alternative land management practices are available that dramatically increase pollinator forage while decreasing maintenance costs; and

Whereas, the monetary and social cost of maintaining pollinator-friendly landscapes can be less expensive than the costs associated with maintaining chemically-treated monocrop landscapes; and

Whereas, the State of Minnesota preempted any powers of local governments to regulate any and all matters concerning the registration, labeling, distribution, sale, handling, use, application, or disposal of pesticides; and

Whereas, many Minneapolis residents and businesses are pledging to manage their land in a pollinator-friendly way;

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

That the City of Minneapolis is hereby declared a Pollinator-Friendly Community. The City celebrates current policies and practices that protect and support pollinator health including:

- The City of Minneapolis manages beehives on City Hall in cooperation with the Municipal Building Commission, Hennepin County, and the Mdewakanton Sioux community;
- The City of Minneapolis has recently adopted changes to the permitting processes that make it much easier to keep honeybees; and
- City departments currently use nearly no pesticides. The only pesticide use by a City-affiliated entity is limited, topical, and reactive use of certain classes of pesticide by the Convention Center.

Be It Further Resolved that the City commits to making the following improvements to City policy and practice to increase pollinator forage, including Minnesota native pollinator forage, and decrease pesticide use by the following City departments:

- The Public Works Department will pursue planting more pollinator forage in appropriate locations, including stormwater management ponds and large land areas that are currently turf grass, adopt clear guidelines against the use of pesticides and pesticide-treated plants, and consider pollinator-friendly amendments to the Minneapolis Vegetation Management Policy.
- The Community Planning and Economic Development Department will pilot planting pollinator forage on vacant land it controls and encourage private developers to incorporate pollinator-friendly plantings into required landscaping.
- The Property Services Division of the City Coordinator's Office will pursue planting more pollinator forage where appropriate on City facilities in cooperation with the business units in those City facilities. This includes a pilot already underway at four Minneapolis Fire Department facilities.
- The Health Department's Environmental Services Unit will maintain an internal resource for other City departments including a list of pollinator-friendly plants.
- The Minneapolis Convention Center will incorporate more pollinator forage into its plantings and phase out the use of systemic insecticides.

Be It Further Resolved that the City of Minneapolis urges all Minneapolis property owners, residents, businesses, institutions, and neighborhoods to become more pollinator-friendly by adopting practices including:

- Committing to not use pesticides, including systemic insecticides, on their property;
- Avoiding planting flowering plants that are treated with systemic insecticides;
- Discontinuing the sale of pesticides and plants that are treated with systemic insecticides; and
- Planting more pollinator forage on their property and organic or chemical-free lawn and landscaping practices.

Be It Further Resolved that the City of Minneapolis will continue to advocate at the State and Federal level for increased authority to address the non-agricultural use of pesticides and for other pollinator-friendly policies.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

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

The Minneapolis City Council hereby authorizes a contract with the Minnesota Department of Health to accept \$20,000 for Lead and Healthy Homes services that include Healthy Homes in-home education events and a lead paint awareness campaign. Further, passage of Resolution 2015R-358 appropriating funds.

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

**RESOLUTION 2015R-358  
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 (01300-8600122) by \$20,000 and increasing the revenue estimate (01300-8600122-Revenue Code 321007) by \$20,000.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and resolution were adopted.

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

The Minneapolis City Council hereby authorizes the Executive Director of the Community Planning & Economic Development Department or the Executive Director's designee or the City Attorney to:

- a. Submit comments to the Federal Energy Regulatory Commission (FERC), on behalf of the City Minneapolis, relating to the License Amendment Application for the Crown Mill Hydroelectric Project that are generally consistent with the draft comments set forth in File No. 15-01002 on file in the Office of the City Clerk; and
- b. Submit a new Motion to Intervene, on behalf of the City on Minneapolis, on the License Amendment Application for Crown Mill Hydroelectric Project, if needed.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby approves the following Energy and Climate Policy Positions for government agencies, including the Minnesota Public Utilities Commission (PUC), as set forth in File No. 15-01003 on file in the Office of the City Clerk.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

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

On behalf of the Public Safety, Civil Rights & Emergency Management Committee, Yang offered Ordinance 2015-Or-075 amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses Miscellaneous--In General: Hats, conduct in theaters, repealing Chapter 385.

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

**ORDINANCE 2015-Or-075**  
**By A. Johnson**  
**Intro & 1st Reading: 5/15/2015**  
**Ref to: PSCREM**  
**2nd Reading: 8/21/2015**

**Amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses Miscellaneous – In General: Hats, conduct in theaters.**

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

Section 1. That Section 385.70 of the above-entitled ordinance be and is hereby repealed.

~~385.70. Hats, conduct in theaters.~~

~~No person, during the performance of the program in a theater, auditorium or place of amusement, shall wear any headgear or conduct himself in a manner which interferes unreasonably with the view or enjoyment of another person of the stage or screen or place of activity, nor shall any person operating such theater, auditorium or place of amusement permit the wearing of any such headgear or permit such conduct.~~

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The ordinance was adopted.

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

The Minneapolis City Council hereby authorizes an amendment to contract C-38495 with Minneapolis Public Schools for the City of Minneapolis to provide Minneapolis Police Officers to serve as School Resource Officers in City high schools, middle schools, and other selected schools for up to \$1,200,000, for the 2015-2016 school year.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

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

The Minneapolis City Council hereby approves the settlement of the claim of Walter Doerfler by payment of \$6,000 to Walter Doerfler and his attorneys, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

## AUGUST 21, 2015

---

The Minneapolis City Council hereby approves the settlement of the claim of Will Gunderson by payment of \$2,135 to Will Gunderson, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-38445 with Shaw Lundquist Construction, under OP No. 7950, in the amount of \$60,785.41, for a new contract total of \$523,785.41, for change orders related to the Convention Center Exterior Door Replacement Project, as set forth in the staff report. This action represents the total of all invoices necessary to close-out this contract and make final payment.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a facility use agreement for space rental at Public Functionary, 1400 12th Avenue NE, Minneapolis in the amount of \$412.50 for a Creative City Road Map work group meeting and public open house on September 17, 2015.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby accepts the low bid of Iyawe and Associates Corporation (OP No. 8126) for an estimated expenditure of \$363,000.00 to furnish and deliver all labor, materials and incidentals necessary for the Fridley Softening Plant Accessible Toilet Locker Room Upgrade Project for the Minneapolis Finance/Property Services Department, and authorizes a contract for this project, all in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

## AUGUST 21, 2015

---

The Minneapolis City Council hereby authorizes a contract amendment with CTX to adjust the leased space at 340 27th Ave NE on a month to month basis with the revenue to be deposited into Fund 6200-8201340-820LEASE.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a second amendment to the leasing contract for space in the Haaf Ramp with Goldberg Bonding, Contract No. C-25970, extending the lease for another two years through Aug. 31, 2017, with an option for a third year.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No.C-39173, Amendment No. 1, with Ebert Construction, Inc. in the amount of \$20,963.87, for a revised total amount of \$385,763.87, for the Currie Truck Wash Project. The construction contingency, contained within the original Project Budget (Fund 04100 Dept.: 9010923) is adequate for Amendment No. 1, and no additional appropriation is required.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-39161, Amendment No. 1, with Versacon, Inc. in the amount of \$2,905.09, for a new total contract amount of \$100,748.09, for the Minneapolis Animal Care & Control (MACC) Dog Run Project. The construction contingency contained within the original Project Budget (Fund 04100 Dept.: 9010923) is adequate for Amendment No. 1, and no additional appropriation is required.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No.C-39305, Amendment No. 1, with Central Roofing Company, in the amount of \$2,652, for a new total contract amount of \$316,972, for the Fire Stations and Police Precinct Re-roofing Project. The construction contingency, contained within the original Project Budget (Fund 04100 Dept.: 9010923) is adequate for Amendment No. 1, and no additional appropriation is required.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-359 relating to the tax increment financing of public improvements related to the Ivy Tower multifamily housing and hotel development located in the Ivy Tower Tax Increment Financing District; authorizing the issuance of Tax Increment Revenue Refunding Bonds (Ivy Tower Project), Series 2015; and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the issuance of such obligations.

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

**RESOLUTION 2015R-359**

**By Quincy**

**Relating to the tax increment financing of public improvements related to the Ivy Tower multifamily housing and hotel development located in the Ivy Tower Tax Increment Financing District; authorizing the issuance of Tax Increment Revenue Refunding Bonds (Ivy Tower Project), Series 2015; and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the issuance of such obligations.**

Resolved by The City Council of The City of Minneapolis:

SECTION 1. BACKGROUND

1.01. The Redevelopment Plan, the TIF District, the Redevelopment Project, and the TIF Plan. Pursuant to Resolution No. 2001R-516, adopted by the City Council of the City of Minneapolis (the "City") on December 14, 2001, and approved by the Mayor of the City on December 20, 2001, the City approved the Ivy Tower Redevelopment Plan (the "Redevelopment Plan") and established the Ivy Tower Tax Increment Financing District (the "TIF District") under authority granted by Minnesota Statutes, Sections 469.174 through 469.1794, as amended (the "Tax Increment Act"), within the Ivy Tower Redevelopment Project Area (the "Redevelopment Project"), and adopted the Ivy Tower Tax Increment Financing Plan (the "TIF Plan") for the purpose of financing certain improvements within the TIF District and the Redevelopment Project. Pursuant to Resolution No. 2001-2553M, adopted by the Board of Commissioners of the Minneapolis Community Development Agency (the "Agency"), the Agency approved the adoption of the Redevelopment Plan, the creation of the Redevelopment Project, the creation of the TIF District, and the adoption of the TIF Plan.

1.02. The Project. In order to provide for the redevelopment of the Redevelopment Project and the TIF District and, specifically, to provide for the renovation and restoration of the Ivy Tower Building, an historic building located in the TIF District at 1115 Second Avenue South in downtown Minneapolis, Minnesota, the Agency entered into a Contract for Private Redevelopment, dated March 27, 2002, between the Agency and Ivy Tower Minneapolis, LLC, a Minnesota limited liability company, and its assignees (the “Redeveloper”), as amended by the Amendment of Contract for Private Redevelopment, dated October 11, 2002, the Second Amendment of Contract for Private Development, dated February 27, 2004, the Third Amendment of Contract for Private Development, dated August 31, 2004, the Fourth Amendment of Contract for Private Development, dated November 23, 2004, and the Fifth Amendment of Contract for Private Development, dated February 22, 2005 (collectively, the “Redevelopment Contract”). Pursuant to Resolution No. 2004R-431, adopted by the City on October 8, 2004, the City Council of the City adopted Modification No. 1 to the Redevelopment Plan and Modification No. 1 to the Tax Increment Plan, which modified the private improvements authorized under the Redevelopment Plan and the TIF Plan from an office development to an owner-occupied housing and hotel development (the “Project”). Pursuant to Resolution No. 2005R-266, adopted on May 13, 2015, the City Council of the City adopted Modification No. 2 to the Tax Increment Plan, which modified the TIF District budget and increased the bonded indebtedness that the City may incur with respect to the Project. The Project is comprised, in part, of: (i) ninety-one (91) units of new construction, owner-occupied condominium housing (with 20% of the units designated as affordable, in accordance with the City’s affordable housing policy) in a twenty-six (26) story building located adjacent to the Ivy Tower and oriented generally on the corner of Eleventh Street and Second Avenue (the “Housing Improvements”); (ii) a hotel with one hundred thirty-six (136) rooms in twenty (20) stories situated in and behind the Ivy Tower; (iii) an underground garage with space to park approximately one hundred seventy-five (175) vehicles; and (iv) a limited amount of supportive commercial lease space.

1.03. Transfer of the TIF District and the Redevelopment Project to the City. Pursuant to Resolution No. 2003R-625, adopted by the City Council of the City on December 29, 2003, and Resolution No. 2003-2863M, adopted by the Board of Commissioners of the Agency on December 29, 2003, the duties of administering all programs, projects, and districts administered by the Agency, including the Redevelopment Plan, the Redevelopment Project, the TIF District, the TIF Plan, the Redevelopment Contract, and the Project were transferred to the City, effective January 1, 2004.

1.04. The Series 2005 Bonds and the Series 2005 Note. On May 13, 2005, the City Council of City adopted Resolution No. 2005R-267 (the “Series 2005 Bond Resolution”), which provided for the issuance and sale of its tax increment revenue bonds to finance public redevelopment improvements related to the Project. In accordance with the terms of the Series 2005 Bond Resolution and an Indenture of Trust, dated as of December 1, 2005 (the “Series 2005 Indenture”), between the City and U.S. Bank National Association (the “Prior Trustee”), the City issued its Tax Increment Revenue Bonds (Ivy Tower Project), Series 2005 (the “Series 2005 Bonds”), in the principal amount of \$4,935,000, dated December 20, 2005, payable solely from tax increment revenues generated from the Housing Improvements and other funds which are part of certain property granted to the Prior Trustee pursuant to the Series 2005 Indenture. On May 13, 2005, the City Council of City adopted Resolution No. 2005R-268 (the “Pay-Go Note

Resolution”), which provided for the issuance and sale of its tax increment limited revenue note to finance the Project, consisting generally of defraying certain public redevelopment costs incurred by the Redeveloper within and for the benefit of the Project. In accordance with the terms of the Pay-Go Note Resolution, the City issued its Taxable Tax Increment Limited Revenue Note (Ivy Tower) (the “Series 2005 Pay-Go Note”), in the original stated principal amount of \$2,951,400. The Series 2005 Pay-Go Note was payable solely from a portion of tax increment revenues generated from the Project, excluding the Housing Improvements. The Series 2005 Bonds and the Series 2005 Pay-Go Note are hereinafter referred to collectively as the “Series 2005 Obligations.”

1.05. Terms for Redemption of the Series 2005 Bonds. Under the terms of Section 3.1 of the Indenture and the Series 2005 Bonds, the Series 2005 Bonds are subject to redemption at the option of the City, on or after February 1, 2014, upon: (i) notice by the City to the Prior Trustee of the optional redemption of the Series 2005 Bonds which notice must be provided to the Prior Trustee at least forty-five (45) days prior to an optional redemption date fixed by the City (unless a shorter notice is satisfactory to the Prior Trustee); and (ii) notice by the Prior Trustee to the holders of the Series 2005 Bonds of the optional redemption of the Series 2005 Bonds which notice must be given at least thirty (30) days prior to the redemption date.

1.06. Terms for Redemption of the Series 2005 Pay-Go Note. Under the terms of the Series 2005 Pay-Go Note, the Series 2005 Pay-Go Note may be prepaid in full or in part at any time without penalty.

1.07. Authority to Issue Refunding Bonds. In accordance with the provisions of Section 469.178 of the Tax Increment Act, the City is authorized to issue and sell its tax increment revenue bonds for the purpose of refunding the Series 2005 Obligations and to pledge to the payment of the principal of and interest on such tax increment revenue bonds the available tax increment revenues derived from the TIF District established within the Redevelopment Project.

## SECTION 2. ISSUANCE OF THE SERIES 2015 BONDS

2.01. Authorization to Issue Refunding Bonds. In order to provide for the redemption and prepayment of the outstanding principal amount of the Series 2005 Obligations, there is hereby authorized to be issued by the City the Series 2015 Bonds, as hereinafter defined.

2.02. The Series 2015 Bonds. The City Council hereby authorizes the issuance of tax increment revenue bonds to be designated as the Tax Increment Revenue Refunding Bonds (Ivy Tower Project), Series 2015 (the “Series 2015 Bonds”), in a principal amount not to exceed \$6,500,000. The Series 2015 Bonds shall be issued on such date and upon the terms and conditions determined by the Finance Officer of the City (the “Finance Officer”). The Series 2015 Bonds may be designated by such other name or names as determined to be appropriate by the Finance Officer. The Series 2015 Bonds shall be issued in one or more series as the Finance Officer may determine, and shall be assigned a separate series designation determined by the Finance Officer for each separate series issued by the City. The Series 2015 Bonds are authorized to be issued as obligations the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes. This authorization to issue the Series 2015 Bonds is effective without any additional action of the City Council and shall be undertaken by the Finance Officer on such date or dates and upon the terms and conditions deemed reasonable by the Finance

Officer. The City Council hereby authorizes the sale of the Series 2015 Bonds to Dougherty & Company LLC (the "Underwriter") in accordance with the terms and conditions of a Bond Purchase Agreement, to be dated on or after the pricing date of the Bonds (the "Bond Purchase Agreement"), between the City and the Underwriter.

2.03. Indenture of Trust and Bond Purchase Agreement. There have been presented to the City Council forms of the following documents: (i) an Indenture of Trust, to be dated on or after September 1, 2015 (the "Indenture"), between the City and U.S. Bank National Association (the "Trustee"); and (ii) the Bond Purchase Agreement. The Indenture and Bond Purchase Agreement are hereby approved and the Finance Officer is hereby authorized to execute and deliver the Indenture and the Bond Purchase Agreement on behalf of the City. All of the provisions of the Indenture and the Bond Purchase Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution (the "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 and the Bond Purchase Agreement shall be substantially in the forms 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.

2.04. Terms of Series 2015 Bonds. The Series 2015 Bonds shall have the maturities, interest rates, shall be dated, numbered, and issued in such denominations, shall be subject to mandatory and optional redemption and prepayment prior to maturity, shall be executed, sealed, and authenticated in such manner, shall be in such form, and shall have such other details and provisions as are prescribed in the Indenture. The form of the Series 2015 Bonds included in the Indenture is approved in substantially the form in the Indenture, subject to such changes that are not inconsistent with this Resolution and applicable law and that are approved by the Finance Officer. Without limiting the generality of the foregoing, the Finance Officer is authorized to approve the original aggregate principal amount of each series of Series 2015 Bonds to be issued under the terms of this Resolution (subject to the maximum aggregate principal amount for all series authorized by this Resolution), to establish the terms of redemption, the principal amounts subject to redemption, and the dates of redemption of the Series 2015 Bonds, and to approve other changes to the other terms of the Series 2015 Bonds which are deemed by the Finance Officer to be in the best interests of the City. The issuance and delivery of the Series 2015 Bonds shall be conclusive evidence that the Finance Officer has approved the terms and provisions of the Series 2015 Bonds in accordance with the authority granted by this Resolution. The proceeds derived from the sale of the Series 2015 Bonds, and the earnings derived from the investment of such proceeds, shall be held, transferred, expended, and invested in accordance with the determinations of the Finance Officer.

2.05. Security for the Series 2015 Bonds. The Series 2015 Bonds shall be secured by the terms of the Indenture and shall be payable solely from Available Tax Increments (as defined in the Indenture) that are expressly pledged to the payment of the Series 2015 Bonds in accordance with the terms of the Indenture.

2.06. Special Obligations of the City. It is hereby found, determined, and declared that the issuance and sale of the Series 2015 Bonds, the execution and delivery by the City of the Indenture and the Bond Purchase Agreement (the "City Documents"), and the performance of all covenants and agreements of the City contained in the City Documents, and of all other acts required under the Constitution and laws of the State of Minnesota to make the Series 2015 Bonds the valid and binding special obligations of the

City enforceable in accordance with their respective terms, are authorized by applicable Minnesota law, including, without limitation, the Tax Increment Act and this Resolution.

2.07. Source of Payment of Series 2015 Bonds. Under the provisions of the Tax Increment Act, and as provided in the Indenture and the Series 2015 Bonds, the Series 2015 Bonds are not to be payable from or chargeable against any funds other than the revenues pledged to the payment thereof; the City shall not be subject to any liability thereon other than from such revenues pledged thereto; no holder of any Series 2015 Bonds shall ever have the right to compel any exercise by the City of its taxing powers (other than as contemplated by the pledge of tax increment revenues under the terms of the Indenture) to pay the principal of, premium, if any, and interest on the Series 2015 Bonds, or to enforce payment thereof against any property of the City other than the property expressly pledged thereto; the Series 2015 Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City other than the revenues expressly pledged thereto; the Series 2015 Bonds shall recite that the Series 2015 Bonds are issued without a pledge of the general or moral obligation of the City, and that the Series 2015 Bonds, including interest thereon, are payable solely from the revenues pledged to the payment thereof; and the Series 2015 Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation of indebtedness.

## SECTION 3. DISCLOSURE DOCUMENTS AND CLOSING CERTIFICATES

3.01. Disclosure Documents and Continuing Disclosure Certificate. The preparation of a preliminary official statement (the "Preliminary Official Statement"), a final official statement (the "Final Official Statement"), or other forms of disclosure documents (collectively, the "Disclosure Documents") in connection with the offer and sale of the Series 2015 Bonds is hereby authorized. When approved by the Finance Officer, the Disclosure Documents are authorized to be distributed in connection with the offer and sale of the Series 2015 Bonds. In order to provide for continuing disclosure with respect to the Series 2015 Bonds in accordance with the continuing disclosure obligations imposed by Rule 15c2-12 (17 CFR §240.15c2-12) promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), the Finance Officer may execute and deliver a Continuing Disclosure Certificate, to be dated on or after September 1, 2015 (the "Continuing Disclosure Certificate"), of the City.

3.02. Finance Officer Certificates. The Finance Officer is authorized to furnish to the purchasers of the Series 2015 Bonds, on the date of issuance and sale of the Series 2015 Bonds, a certificate that, to the knowledge of the Finance Officer, the Final Official Statement (or other final Disclosure Document) does not, as of the date of closing, contain any untrue statement of a material fact or omit to state a material fact which should be included therein relating to the Series 2015 Bonds or the City for the purpose for which the Final Official Statement is to be used, or which is necessary in order to make the statements made in the Final Official Statement, in light of the circumstances under which they are made, not misleading. Unless litigation shall have been commenced and be pending questioning the Series 2015 Bonds, the proceedings for approval of the Series 2015 Bonds, tax increment revenues generated or collected for payment of the Series 2015 Bonds, revenues pledged for payment of the Series 2015 Bonds, or the organization of the City, or incumbency of its officers, the Finance Officer shall also execute and deliver a suitable certificate as to absence of material litigation. The Finance Officer is also authorized and directed to execute and deliver a certificate as to payment for and delivery of the Series 2015 Bonds. The Finance Officer may also execute and deliver, in the discretion of the Finance Officer, such other certificates, forms, and other documents requested by the Trustee, the Underwriter or its counsel, or Kennedy & Graven, Chartered, acting in its capacity as bond counsel ("Bond Counsel")

with respect to the Series 2015 Bonds. The Finance Officer shall also make arrangements for delivery of the signed approving legal opinion of Bond Counsel as to the validity and enforceability of the Series 2015 Bonds and as to the tax-exempt status of interest on the Series 2015 Bonds.

3.03. Closing Certificates. The City Clerk, the Finance Officer, and other agents, officers, and employees of the City are hereby authorized and directed, individually and collectively, to furnish to the attorneys approving the Series 2015 Bonds, on behalf of the purchasers of the Series 2015 Bonds, certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to issue the Series 2015 Bonds, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by Bond Counsel, the Underwriter, the Trustee, or other persons or entities in connection with the issuance of the Series 2015 Bonds and the expenditure of the proceeds of the Series 2015 Bonds. Without imposing any limitations on the scope of the preceding sentence, such officers and employees are specifically authorized to execute and deliver one or more Uniform Commercial Code financing statements, a certificate relating to federal tax matters including matters relating to arbitrage and arbitrage rebate, a receipt for the proceeds derived from the sale of the Series 2015 Bonds, an order to the Trustee, a general certificate of the City, and an Information Return for Tax-Exempt Governmental Obligations, Form 8038-G (Revised September 2011).

3.04. Filing with Hennepin County. The City Clerk is hereby authorized and directed to certify a copy of this Resolution and the Finance Officer is hereby authorized to cause the same to be filed with the Director of the Taxpayer Services Department of Hennepin County, exercising the powers of the County Auditor under Minnesota Statutes, Section 475.63, and to obtain a certificate from the Director of the Taxpayer Services Department of Hennepin County as to the registration of the Series 2015 Bonds.

#### SECTION 4. REDEMPTION OF SERIES 2005 OBLIGATIONS

4.01. Redemption of Series 2005 Obligations. The City elects to apply the net proceeds of the Series 2015 Bonds to the optional redemption and prepayment of: (i) the Series 2005 Bonds in accordance with their terms and the terms of the Series 2005 Indenture; and (ii) the Series 2005 Pay-Go Note in accordance with their terms. Following the sale and issuance of the Series 2015 Bonds, the Prior Trustee, as Bond Registrar of the Series 2005 Bonds, is directed to cause notice of redemption of the Series 2005 Bonds to be given to the holders of the Series 2005 Bonds in accordance with the terms of the Series 2005 Bonds and the Series 2005 Indenture and to take all other actions necessary to cause the redemption and prepayment of the Series 2005 Bonds to occur as soon as possible after the date of issuance of the Series 2015 Bonds. Following the sale and issuance of the Series 2015 Bonds, the City is directed to take all actions necessary to cause the redemption and prepayment of the Series 2005 Pay-Go Note as soon as practicable after the date of issuance of the Series 2015 Bonds.

#### SECTION 5. MISCELLANEOUS

5.01. Liability of Members, Officers, Employees, or Agents. All agreements, covenants, and obligations of the City contained in this Resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this Resolution or in

the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the Series 2015 Bonds shall be liable personally on the Series 2015 Bonds or be subject to any personal liability or accountability by reason of the issuance of the Series 2015 Bonds.

5.02. Limitation of Liability. Nothing in this Resolution or in the above-referenced documents is intended or shall be constructed to confer upon any person (other than as provided in the Indenture, the Series 2015 Bonds, and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this Resolution or any provision of this Resolution.

5.03. Execution of Documents. If for any reason the Finance Officer, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Finance Officer, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by an acting finance officer, or deputy or assistant finance officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

5.04. Tax Covenants. The City shall not take any action or authorize any action to be taken in connection with the application or investment of the proceeds of the Series 2015 Bonds or any related activity which would cause the Series 2015 Bonds to be deemed to be "private activity bonds," within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City shall not take any action or authorize any action to be taken in connection with the application or investment of the proceeds of the Series 2015 Bonds, or any related activity, that would cause the Series 2015 Bonds to be deemed to be "arbitrage bonds," within the meaning of Section 148 of the Code. Furthermore, the City shall take all such actions as may be required under the Code to ensure that interest on the Series 2015 Bonds is not and does not become includable in gross income for federal income tax purposes.

5.05. Amendments. The authority to approve, execute, and deliver future amendments to the documents executed and delivered by the City in connection with the transactions contemplated hereby is hereby delegated to the Finance Officer, subject to the following conditions: (a) such amendments do not require the consent of the holders of the Series 2015 Bonds or, if required, such consent has been obtained; (b) such amendments do not materially adversely affect the interests of the City as the issuer of the Series 2015 Bonds; (c) such amendments do not contravene or violate any policy of the City; (d) such amendments are acceptable in form and substance to the City Attorney, Bond Counsel, or other counsel retained by the City to review such amendments; (e) the City has received, if necessary, an opinion of Bond Counsel to the effect that the amendments will not adversely affect the tax-exempt character or interest on the Series 2015 Bonds, if the Series 2015 Bonds are then tax-exempt obligations; and (f) such amendments do not materially prejudice the interests of the owners of the Series 2015 Bonds. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate

compliance with the agreements being amended and the terms of this Resolution. The execution of any instrument by the Finance Officer shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Finance Officer, any instrument authorized by this paragraph to be executed and delivered by the Finance Officer may be executed by such other officer of the City as in the opinion of the City Attorney is authorized to execute and deliver such document.

5.06. Effective Date. This Resolution shall take effect and be in force from and after its approval and publication.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-360 relating to the tax increment financing of public improvements related to the East River Mews multifamily housing development located in the East River/Unocal Site Tax Increment Financing District; authorizing the issuance of Tax Increment Revenue Refunding Bonds (East River/Unocal Site Project), Series 2015; and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the issuance of such obligations.

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

**RESOLUTION 2015R-360**  
**By Quincy**

**Relating to the tax increment financing of public improvements related to the East River Mews multifamily housing development located in the East River/Unocal Site Tax Increment Financing District; authorizing the issuance of Tax Increment Revenue Refunding Bonds (East River/Unocal Site Project), Series 2015; and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the issuance of such obligations.**

Resolved by The City Council of The City of Minneapolis:

SECTION 1. BACKGROUND

1.01. The Redevelopment Plan, the TIF District, the Redevelopment Project, and the TIF Plan. Pursuant to Resolution No. 2002R-210, adopted by the City Council of the City of Minneapolis (the "City") on June 21, 2002, and approved by the Acting Mayor of the City on that same date, the City approved the East River/Unocal Site Redevelopment Plan (the "Redevelopment Plan") and established the East River/Unocal Site Tax Increment Financing District (the "TIF District") under authority granted by Minnesota Statutes, Sections 469.174 through 469.1794, as amended (the "Tax Increment Act"), within the East River/Unocal Site Redevelopment Project Area (the "Redevelopment Project"), and adopted the East River/Unocal Site Tax Increment Financing Plan (the "TIF Plan") for the purpose of financing certain

improvements within the TIF District and the Redevelopment Project. Pursuant to Resolution No. 2002-2609M, adopted by the Board of Commissioners of the Minneapolis Community Development Agency (the "Agency") on June 21, 2002, the Agency approved the adoption of the Redevelopment Plan, the creation of the Redevelopment Project, the creation of the TIF District, and the adoption of the TIF Plan.

1.02. The Project. In order to provide for the redevelopment of the Redevelopment Project and the TIF District and, specifically, to provide for the acquisition of certain real property located in the Prospect Park neighborhood of the City and the construction of thirty-eight (38) townhouse units and fifteen (15) condominium units located on such property (the "Project"), the Agency entered into a Contract for Private Redevelopment, dated August 15, 2002, as amended (the "Redevelopment Contract"), between the Agency and Brighton Development Corporation, a Minnesota corporation, and its assignees (the "Redeveloper").

1.03. The Series 2002 Notes. On September 13, 2002, the Board of Commissioners of the Agency adopted Resolution No. 2002-2640M (the "Series 2002 Note Resolution"), which provided for the issuance and sale of its tax increment revenue notes. In accordance with the terms of the Series 2002 Note Resolution, the Agency issued its Taxable Tax Increment Revenue Notes (East River/Unocal Site Project), Series 2002 (the "Series 2002 Notes"), in the principal amount of \$1,500,000, dated as of September 19, 2002, payable solely from a portion of the proceeds of the Series 2002 Notes and from tax increment revenues generated from the TIF District within the Redevelopment Project.

1.04. Transfer of TIF District and Redevelopment Project to City. Resolution 2003R-625, adopted by the City Council of the City on December 29, 2003, and Resolution No. 2003-2863M, adopted by the Board of Commissioners of the Agency on December 29, 2003, provided that the duties of administering all programs, projects, and districts administered by the Agency, including the Redevelopment Plan, the Redevelopment Project, the TIF District, the TIF Plan, the Redevelopment Contract, and the Project were transferred to the City, effective January 1, 2004.

1.05. Refunding the Series 2002 Notes. Under the terms of the Redevelopment Contract, the Agency agreed to refund the Series 2002 Notes with tax-exempt revenue bonds when the conditions set forth in the Redevelopment Contract for the issuance of such revenue bonds were satisfied.

1.06. The Series 2007 Bonds. The conditions set forth in the Redevelopment Contract for refunding the Series 2002 Notes with tax-exempt revenue bonds were satisfied. On June 29, 2007, the City Council of the City adopted Resolution 2007R-305 (the "Series 2007 Resolution"), which provided for the issuance of its tax increment refunding bonds to refund the Series 2002 Notes. In accordance with the terms of the Series 2007 Resolution and an Indenture of Trust, dated as of July 1, 2007 (the "Series 2007 Indenture"), between the City and Wells Fargo Bank, National Association, as trustee (the Prior "Trustee"), the City issued its Tax Increment Revenue Refunding Bonds (East River/Unocal Site Project), Series 2007 (the "Series 2007 Bonds"), in the aggregate principal amount of \$1,750,000 and dated July 24, 2007, and applied the proceeds of the Series 2007 Bonds to redeem and prepay the outstanding principal amount of the Series 2002 Notes.

1.07. Terms for Redemption of the Series 2007 Bonds. Under the terms of Section 3-1 of the Series 2007 Indenture, the Series 2007 Bonds are subject to redemption at the option of the City on or after February 1, 2015, at a redemption price of par plus accrued interest to the date of redemption upon: (i) notice by the City to the Prior Trustee of the optional redemption of the Series 2007 Bonds which notice must be provided to the Trustee at least forty-five (45) days prior to an optional redemption date fixed by the City (unless a shorter notice is satisfactory to the Prior Trustee); and (ii) notice by the Trustee to the holders of the Series 2007 Bonds of the optional redemption of the Series 2007 Bonds which notice must be given at least thirty (30) days prior to the redemption date.

1.08. Authority to Issue Refunding Bonds. In accordance with the provisions of Section 469.178 of the Tax Increment Act, the City is authorized to issue and sell its tax increment revenue bonds for the purpose of refunding the Series 2007 Bonds and to pledge to the payment of the principal of and interest on such tax increment revenue bonds the available tax increment revenues derived from the TIF District established within the Redevelopment Project.

## SECTION 2. ISSUANCE OF THE SERIES 2015 BONDS

2.01. Authorization to Issue Refunding Bonds. In order to provide for the redemption and prepayment of the outstanding principal amount of the Series 2007 Bonds, there is hereby authorized to be issued by the City the Series 2015 Bonds, as hereinafter defined.

2.02. The Series 2015 Bonds. The City Council hereby authorizes the issuance of tax increment revenue bonds to be designated as the Tax Increment Revenue Refunding Bonds (East River/Unocal Site Project), Series 2015 (the "Series 2015 Bonds"), in a principal amount not to exceed \$1,000,000. The Series 2015 Bonds shall be issued on such date and upon the terms and conditions determined by the Finance Officer of the City (the "Finance Officer"). The Series 2015 Bonds may be designated by such other name or names as determined to be appropriate by the Finance Officer. The Series 2015 Bonds shall be issued in one or more series as the Finance Officer may determine, and shall be assigned a separate series designation determined by the Finance Officer for each separate series issued by the City. The Series 2015 Bonds are authorized to be issued as obligations the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes. This authorization to issue the Series 2015 Bonds is effective without any additional action of the City Council and shall be undertaken by the Finance Officer on such date or dates and upon the terms and conditions deemed reasonable by the Finance Officer. The City Council hereby authorizes the sale of the Series 2015 Bonds to Dougherty & Company LLC (the "Underwriter") in accordance with the terms and conditions of a Bond Purchase Agreement, to be dated on or after the pricing date of the Bonds (the "Bond Purchase Agreement"), between the City and the Underwriter.

2.03. Indenture of Trust and Bond Purchase Agreement. There have been presented to the City Council forms of the following documents: (i) an Indenture of Trust, to be dated on or after September 1, 2015 (the "Indenture"), between the City and U.S. Bank National Association (the "Trustee"); and (ii) the Bond Purchase Agreement. The Indenture and Bond Purchase Agreement are hereby approved and the Finance Officer is hereby authorized to execute and deliver the Indenture and the Bond Purchase Agreement on behalf of the City. All of the provisions of the Indenture and the Bond Purchase Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution (the "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 and the Bond Purchase Agreement shall be substantially in the forms 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.

2.04. Terms of Series 2015 Bonds. The Series 2015 Bonds shall have the maturities, interest rates, shall be dated, numbered, and issued in such denominations, shall be subject to mandatory and optional redemption and prepayment prior to maturity, shall be executed, sealed, and authenticated in such manner, shall be in such form, and shall have such other details and provisions as are prescribed in the Indenture. The form of the Series 2015 Bonds included in the Indenture is approved in substantially the form in the Indenture, subject to such changes that are not inconsistent with this Resolution and applicable law and that are approved by the Finance Officer. Without limiting the generality of the foregoing, the Finance Officer is authorized to approve the original aggregate principal amount of each series of Series 2015 Bonds to be issued under the terms of this Resolution (subject to the maximum aggregate principal amount for all series authorized by this Resolution), to establish the terms of redemption, the principal amounts subject to redemption, and the dates of redemption of the Series 2015 Bonds, and to approve other changes to the other terms of the Series 2015 Bonds which are deemed by the Finance Officer to be in the best interests of the City. The issuance and delivery of the Series 2015 Bonds shall be conclusive evidence that the Finance Officer has approved the terms and provisions of the Series 2015 Bonds in accordance with the authority granted by this Resolution. The proceeds derived from the sale of the Series 2015 Bonds, and the earnings derived from the investment of such proceeds, shall be held, transferred, expended, and invested in accordance with the determinations of the Finance Officer.

2.05. Security for the Series 2015 Bonds. The Series 2015 Bonds shall be secured by the terms of the Indenture and shall be payable solely from Available Tax Increments (as defined in the Indenture) that are expressly pledged to the payment of the Series 2015 Bonds in accordance with the terms of the Indenture.

2.06. Special Obligations of the City. It is hereby found, determined, and declared that the issuance and sale of the Series 2015 Bonds, the execution and delivery by the City of the Indenture and the Bond Purchase Agreement (the "City Documents"), and the performance of all covenants and agreements of the City contained in the City Documents, and of all other acts required under the Constitution and laws of the State of Minnesota to make the Series 2015 Bonds the valid and binding special obligations of the City enforceable in accordance with their respective terms, are authorized by applicable Minnesota law, including, without limitation, the Tax Increment Act and this Resolution.

2.07. Source of Payment of Series 2015 Bonds. Under the provisions of the Tax Increment Act, and as provided in the Indenture and the Series 2015 Bonds, the Series 2015 Bonds are not to be payable from or chargeable against any funds other than the revenues pledged to the payment thereof; the City shall not be subject to any liability thereon other than from such revenues pledged thereto; no holder of any Series 2015 Bonds shall ever have the right to compel any exercise by the City of its taxing powers (other than as contemplated by the pledge of tax increment revenues under the terms of the Indenture) to pay the principal of, premium, if any, and interest on the Series 2015 Bonds, or to enforce payment thereof against any property of the City other than the property expressly pledged thereto; the Series 2015 Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City other than the revenues expressly pledged thereto; the Series 2015 Bonds shall recite that the

Series 2015 Bonds are issued without a pledge of the general or moral obligation of the City, and that the Series 2015 Bonds, including interest thereon, are payable solely from the revenues pledged to the payment thereof; and the Series 2015 Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation of indebtedness.

### SECTION 3. DISCLOSURE DOCUMENTS AND CLOSING CERTIFICATES

3.01. Disclosure Documents and Continuing Disclosure Certificate. The preparation of a preliminary official statement (the "Preliminary Official Statement"), a final official statement (the "Final Official Statement"), or other forms of disclosure documents (collectively, the "Disclosure Documents") in connection with the offer and sale of the Series 2015 Bonds is hereby authorized. When approved by the Finance Officer, the Disclosure Documents are authorized to be distributed in connection with the offer and sale of the Series 2015 Bonds. In order to provide for continuing disclosure with respect to the Series 2015 Bonds in accordance with the continuing disclosure obligations imposed by Rule 15c2-12 (17 CFR §240.15c2-12) promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), the Finance Officer may execute and deliver a Continuing Disclosure Certificate, to be dated on or after September 1, 2015 (the "Continuing Disclosure Certificate"), of the City.

3.02. Finance Officer Certificates. The Finance Officer is authorized to furnish to the purchasers of the Series 2015 Bonds, on the date of issuance and sale of the Series 2015 Bonds, a certificate that, to the knowledge of the Finance Officer, the Final Official Statement (or other final Disclosure Document) does not, as of the date of closing, contain any untrue statement of a material fact or omit to state a material fact which should be included therein relating to the Series 2015 Bonds or the City for the purpose for which the Final Official Statement is to be used, or which is necessary in order to make the statements made in the Final Official Statement, in light of the circumstances under which they are made, not misleading. Unless litigation shall have been commenced and be pending questioning the Series 2015 Bonds, the proceedings for approval of the Series 2015 Bonds, tax increment revenues generated or collected for payment of the Series 2015 Bonds, revenues pledged for payment of the Series 2015 Bonds, or the organization of the City, or incumbency of its officers, the Finance Officer shall also execute and deliver a suitable certificate as to absence of material litigation. The Finance Officer is also authorized and directed to execute and deliver a certificate as to payment for and delivery of the Series 2015 Bonds. The Finance Officer may also execute and deliver, in the discretion of the Finance Officer, such other certificates, forms, and other documents requested by the Trustee, the Underwriter or its counsel, or Kennedy & Graven, Chartered, acting in its capacity as bond counsel ("Bond Counsel") with respect to the Series 2015 Bonds. The Finance Officer shall also make arrangements for delivery of the signed approving legal opinion of Bond Counsel as to the validity and enforceability of the Series 2015 Bonds and as to the tax-exempt status of interest on the Series 2015 Bonds.

3.03. Closing Certificates. The City Clerk, the Finance Officer, and other agents, officers, and employees of the City are hereby authorized and directed, individually and collectively, to furnish to the attorneys approving the Series 2015 Bonds, on behalf of the purchasers of the Series 2015 Bonds, certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to issue the Series 2015 Bonds, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by Bond Counsel, the Underwriter, the Trustee, or other persons or entities in connection with the issuance of the Series 2015

Bonds and the expenditure of the proceeds of the Series 2015 Bonds. Without imposing any limitations on the scope of the preceding sentence, such officers and employees are specifically authorized to execute and deliver one or more Uniform Commercial Code financing statements, a certificate relating to federal tax matters including matters relating to arbitrage and arbitrage rebate, a receipt for the proceeds derived from the sale of the Series 2015 Bonds, an order to the Trustee, a general certificate of the City, and an Information Return for Tax-Exempt Governmental Obligations, Form 8038-G (Revised September 2011).

3.04. Filing with Hennepin County. The City Clerk is hereby authorized and directed to certify a copy of this Resolution and the Finance Officer is hereby authorized to cause the same to be filed with the Director of the Taxpayer Services Department of Hennepin County, exercising the powers of the County Auditor under Minnesota Statutes, Section 475.63, and to obtain a certificate from the Director of the Taxpayer Services Department of Hennepin County as to the registration of the Series 2015 Bonds.

#### SECTION 4. REDEMPTION OF SERIES 2007 BONDS

4.01. Redemption of Series 2007 Bonds. The City elects to apply the net proceeds of the Series 2015 Bonds to the optional redemption and prepayment of the Series 2007 Bonds in accordance with their terms and the terms of the Series 2007 Indenture. Following the sale and issuance of the Series 2015 Bonds, the Prior Trustee, as Bond Registrar of the Series 2007 Bonds, is directed to cause notice of redemption of the Series 2007 Bonds to be given to the holders of the Series 2007 Bonds in accordance with the terms of the Series 2007 Bonds and the Series 2007 Indenture and to take all other actions necessary to cause the redemption and prepayment of the Series 2007 Bonds to occur as soon as possible after the date of issuance of the Series 2015 Bonds.

#### SECTION 5. MISCELLANEOUS

5.01. Liability of Members, Officers, Employees, or Agents. All agreements, covenants, and obligations of the City contained in this Resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this Resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the Series 2015 Bonds shall be liable personally on the Series 2015 Bonds or be subject to any personal liability or accountability by reason of the issuance of the Series 2015 Bonds.

5.02. Limitation of Liability. Nothing in this Resolution or in the above-referenced documents is intended or shall be construed to confer upon any person (other than as provided in the Indenture, the Series 2015 Bonds, and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this Resolution or any provision of this Resolution.

5.03. Execution of Documents. If for any reason the Finance Officer, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the

validity or enforceability of such certificate, instrument, or other written document. If for any reason the Finance Officer, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by an acting finance officer, or deputy or assistant finance officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

5.04. Tax Covenants. The City shall not take any action or authorize any action to be taken in connection with the application or investment of the proceeds of the Series 2015 Bonds or any related activity which would cause the Series 2015 Bonds to be deemed to be “private activity bonds,” within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the “Code”). The City shall not take any action or authorize any action to be taken in connection with the application or investment of the proceeds of the Series 2015 Bonds, or any related activity, that would cause the Series 2015 Bonds to be deemed to be “arbitrage bonds,” within the meaning of Section 148 of the Code. Furthermore, the City shall take all such actions as may be required under the Code to ensure that interest on the Series 2015 Bonds is not and does not become includable in gross income for federal income tax purposes.

5.05. Amendments. The authority to approve, execute, and deliver future amendments to the documents executed and delivered by the City in connection with the transactions contemplated hereby is hereby delegated to the Finance Officer, subject to the following conditions: (a) such amendments do not require the consent of the holders of the Series 2015 Bonds or, if required, such consent has been obtained; (b) such amendments do not materially adversely affect the interests of the City as the issuer of the Series 2015 Bonds; (c) such amendments do not contravene or violate any policy of the City; (d) such amendments are acceptable in form and substance to the City Attorney, Bond Counsel, or other counsel retained by the City to review such amendments; (e) the City has received, if necessary, an opinion of Bond Counsel to the effect that the amendments will not adversely affect the tax-exempt character or interest on the Series 2015 Bonds, if the Series 2015 Bonds are then tax-exempt obligations; and (f) such amendments do not materially prejudice the interests of the owners of the Series 2015 Bonds. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this resolution. The execution of any instrument by the Finance Officer shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Finance Officer, any instrument authorized by this paragraph to be executed and delivered by the Finance Officer may be executed by such other officer of the City as in the opinion of the City Attorney is authorized to execute and deliver such document.

5.06. Effective Date. This Resolution shall take effect and be in force from and after its approval and publication.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

## AUGUST 21, 2015

---

The Minneapolis City Council hereby authorizes amendments to contracts with Macro Group, Inc. and Woolpert, Inc. for continued support of workflow automation and transaction processing for various City reporting databases and processes by:

- a. Extending the contract for one additional year, through December 31, 2016.
- b. Updating Terms and Conditions to reflect the City's current standards.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes an increase to Contract No. C-37704A with Sierra-Cedar in the amount of \$1,229,794, for a new not-to-exceed total amount of \$4,800,000, for the continued use of Sierra-Cedar resources through Dec. 31, 2016, in the implementation, integration, and customization of the Enterprise Land Management System (ELMS), which will replace the KIVA system (the City's inspection, licensing and permitting system) on a new projected go-live date of Oct. 3, 2016.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes a contract with Canon Solutions America, Inc. in an amount not-to-exceed \$10,000 for three years, through August 31, 2018, for the support and maintenance of the Geographical Information Services (GIS) plotter, and authorizes the use of Canon's Customer Agreement form.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby accepts the low bid of Walker Holdings, Inc. d/b/a Lawrence Sign (OP No. 8147) for an estimated expenditure of \$90,040.00 to furnish and deliver all labor, materials and incidentals necessary for the 10th and LaSalle Signage Project for the Minneapolis Public Works, Transportation Division.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby authorizes the following actions related to applications submitted to Hennepin County for bicycle and pedestrian project funding:

- a. Acceptance of an award in the amount of \$54,971 from Hennepin County covering 50% of cost for the Broadway St NE Bicycle and Pedestrian Path Project.
- b. Acceptance of an award in the amount of \$47,040 from Hennepin County covering 50% of cost for the 6th Ave SE Bikeway Improvements Project.
- c. Execution of Cooperative Agreement No. PW 43-20-12 (CP 1223) with Hennepin County for the Broadway St NE Bicycle and Pedestrian Path Project.
- d. Execution of Cooperative Agreement No. PW 49-20-12 (CP 1229) with Hennepin County for the 6th Ave SE Bikeway Improvements Project.
- e. Passage of Resolution 2015R-361 increasing the appropriation for the projects to reflect the additional funds.

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

**RESOLUTION 2015R-361**  
**By 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 increasing the appropriation for the Capital Improvements Fund for the CBIK27 Program as follows:

- a. Increasing the appropriation and revenue source (04100-901943-322002) for Hennepin County grant funds by \$102,011; and
- b. Authorizing City matching funds in the amount of \$102,011 to the CBIK7 Program (currently appropriated in 04100-9010937-CPV1274; County State Aid Highway and Minnesota Department of Transportation Cooperative Projects).

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and resolution were adopted.

The Minneapolis City Council authorizes negotiation and execution of a contract with Miller Dunwiddie Architecture in an amount not to exceed \$170,000 for a *Historic Structures Report and Existing Conditions Study* for Peavey Plaza.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

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

The Minneapolis City Council hereby confirms the Mayoral appointment of Samuel A. Rockwell to the City Planning Commission, Seat 6, Ward 8, for a two-year term beginning Feb. 1, 2015, and ending Jan. 31, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report was adopted.

The Minneapolis City Council hereby approves the application submitted by Bell Manufacturing (BZZ-7257) to rezone the property located at 3400 Technology Drive from the I1 Light Industrial District to the I2 Medium Industrial District to allow a metal furniture production use in an existing building; and passage of Ordinance 2015-Or-076 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

**ORDINANCE 2015-Or-076**  
**By Bender**  
**Intro & 1st Reading: 1/6/2014**  
**Ref to: Z&P**  
**2nd Reading: 8/21/2015**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

Tract A, Registered Land Survey No.1668, Hennepin County, Minnesota (3400 Technology Drive-Plate #4) to the I2 Medium Industrial District.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and ordinance were adopted.

The Minneapolis City Council hereby recommends passage of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations relating to conversions of existing buildings in high density zoning districts:

- a. Ordinance 2015-Or-077 amending Chapter 546 relating to Residence Districts.
  - b. Ordinance 2015-Or-078 amending Chapter 547 relating to Office Residence Districts.
- Further, that the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code be returned to author: Chapter 531 relating to Nonconforming Uses and Structures; Chapter 548 relating to Commercial Districts; and Chapter 549 relating to Downtown Districts.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and ordinances were adopted.

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

**ORDINANCE 2015-Or-077**  
**By Bender**  
**Intro & 1st Reading: 5/1/2015**  
**Ref to: Z&P**  
**2nd Reading: 8/21/2015**

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

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

Section 1. That Section 546.30 of the above-entitled ordinance be amended to read as follows:

**546.30. Principal uses for the residence districts.** (a) *In general.* Table 546-1, Principal Uses in the Residence Districts, lists all permitted and conditional uses in the residence districts.

(b) *Permitted uses.* Uses specified with a "P" are permitted as of right in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish a permitted use shall obtain a zoning certificate for such use as specified in Chapter 525, Administration and Enforcement.

(c) *Conditional uses.* Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use, as specified in Chapter 525, Administration and Enforcement.

(d) *Prohibited uses.* Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district.

(e) *Specific development standards.* Permitted and conditional uses specified with a "✓" under the Specific Development Standards column shall be subject to the specific development standards of Chapter 536, Specific Development Standards.

# AUGUST 21, 2015

Table 546-1 Principal Uses in Residence Districts

Use	R1	R1A	R2	R2B	R3	R4	R5	R6	Specific Development Standards
<b>RESIDENTIAL USES</b>									
<b>Dwellings</b>									
Single-family dwelling	P	P	P	P	P	P			
Two-family dwelling			P	P	P	P			
Single or two-family dwelling existing on the effective date of this ordinance <u>or conversion of a building existing on the effective date of this ordinance to a single or two-family dwelling</u>							P	P	
Cluster development	C	C	C	C	C	C	C	C	✓
Multiple-family dwelling, three (3) and four (4) units					P	P	P	P	
Multiple-family dwelling, five (5) units or more					P	P	P	P	✓
Planned Unit Development					C	C	C	C	✓
<b>Congregate Living</b>									
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons					C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons						C	C	C	✓
Board and care home/ Nursing home/ Assisted living						C	C	C	✓
Faculty house						C	C	C	✓
Fraternity or sorority						C	C	C	✓
Hospitality residence						C	C	C	✓
Residential hospice						C	C	C	✓
Supportive housing						C	C	C	✓
<b>INSTITUTIONAL AND PUBLIC USES</b>									
<b>Educational Facilities</b>									
Early childhood learning center	C	C	C	C	C	C	C	C	✓
Preschool	C	C	C	C	C	C	C	C	✓
School, grades K—12	C	C	C	C	C	C	C	C	✓

## AUGUST 21, 2015

<b>Social, Cultural, Charitable and Recreational Facilities</b>									
Athletic field	C	C	C	C	C	C	C	C	✓
Cemetery	C	C	C	C	C	C	C	C	
Community garden	P	P	P	P	P	P	P	P	✓
Developmental achievement center	C	C	C	C	C	C	C	C	✓
Golf course	C	C	C	C	C	C	C	C	✓
Library, public	C	C	C	C	C	C	C	C	
Park, public	P	P	P	P	P	P	P	P	
<b>Religious Institutions</b>									
Place of assembly	P	P	P	P	P	P	P	P	
<b>COMMERCIAL USES</b>									
Bed and breakfast home					C	C	C	C	✓
Child care center	P	P	P	P	P	P	P	P	✓
Market garden, with a planting area of 10,000 sq. ft. or less	P	P	P	P	P	P	P	P	✓
Market garden, with a planting area greater than 10,000 sq. ft.	C	C	C	C	C	C	C	C	✓
Nursery or greenhouse existing on January 1, 1991	C	C	C	C	C	C	C	C	✓
<b>PARKING FACILITIES</b>									
Parking lot, serving institutional and public uses	C	C	C	C	C	C	C	C	
Parking lot, serving multiple-family dwellings					C	C	C	C	
Parking lot, serving board and care home/ nursing home/ assisted living						C	C	C	
<b>PUBLIC SERVICES AND UTILITIES</b>									
Bus turnaround	C	C	C	C	C	C	C	C	
Communication exchange	C	C	C	C	C	C	C	C	
Electric or gas substation	C	C	C	C	C	C	C	C	
Fire station	C	C	C	C	C	C	C	C	
Passenger transit station	C	C	C	C	C	C	C	C	
Police station	C	C	C	C	C	C	C	C	
Railroad right-of-way	C	C	C	C	C	C	C	C	

Stormwater retention pond	C	C	C	C	C	C	C	C	C
Water pumping and filtration facility	C	C	C	C	C	C	C	C	C

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The ordinance was adopted.

**ORDINANCE 2015-Or-078**  
**By Bender**  
**Intro & 1st Reading: 5/1/2015**  
**Ref to: Z&P**  
**2nd Reading: 8/21/2015**

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

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

Section 1. That Section 547.30 of the above-entitled ordinance be amended to read as follows:

**547.30. Principal uses for the office residence districts.** (a) *In general.* Table 547-1 Principal Uses in the Office Residence Districts, lists all permitted and conditional uses in the office residence districts.

(b) *Permitted uses.* Uses specified with a "P" are permitted as of right in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish a permitted use shall obtain a zoning certificate for such use as specified in Chapter 525, Administration and Enforcement.

(c) *Conditional uses.* Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use, as specified in Chapter 525, Administration and Enforcement.

(d) *Prohibited uses.* Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district.

(e) *Specific development standards.* Permitted and conditional uses specified with a "/" under the Specific Development Standards column shall be subject to the specific development standards of Chapter 536, Specific Development Standards.

(f) *Neighborhood serving retail sales and services.* Neighborhood serving retail sales and services include activities that serve the surrounding neighborhood by offering basic goods and services often needed on a day to day basis. The limited nature and scale of the uses minimizes their impact on

## AUGUST 21, 2015

surrounding properties. Neighborhood serving retail sales and services shall be subject to the following standards:

- (1) Neighborhood serving retail sales and services shall be limited to the following uses:
- a. Barber shop/beauty salon.
  - b. Bookstore, new or used.
  - c. Coffee shop, with limited entertainment, maximum thirty (30) seats.
  - d. Drug store.
  - e. Dry cleaning pickup station.
  - f. Florist.
  - g. Grocery store.
  - h. Hardware store.
  - i. Performing, visual or martial arts school.
  - j. Restaurant, sit down or delicatessen, with limited entertainment, provided no alcoholic beverages, maximum thirty (30) seats.
  - k. Self service laundry.
  - l. Sports and health facility.
- (2) The maximum size of neighborhood serving retail sales and services uses shall be two thousand (2,000) square feet of gross floor area.
- (3) All neighborhood serving retail sales and services shall be located on the ground floor of a mixed use building of at least two (2) stories, with no more than two (2) such retail sales and services uses on a single zoning lot.
- (4) Drive-through facilities shall be prohibited.
- (5) Wholesale and off-premise sales shall be prohibited.
- (6) The minimum floor area of the structure in which the neighborhood serving retail sales and service use is located shall be twenty thousand (20,000) square feet.

Table 547-1 Principal Uses in the Office Residence Districts

Use	OR1	OR2	OR3	Specific Dev. Standards
<b>RESIDENTIAL USES</b>				
<b>Dwellings</b>				
Single or two-family dwelling	P			
<u>Single or two-family dwelling existing on the effective date of this ordinance or conversion of a building existing on the effective date of this ordinance to a single or two-family dwelling</u>		P	P	
Cluster development	C	C	C	✓

## AUGUST 21, 2015

One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	
Planned Unit Development	C	C	C	✓
<b>Congregate Living</b>				
Community residential facility serving six (6) or fewer persons	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	✓
Board and care home/ Nursing home/ Assisted living		C	C	✓
Dormitory		C	C	✓
Faculty house		C	C	✓
Fraternity or sorority		C	C	✓
Hospitality residence		C	C	✓
Residential hospice		C	C	✓
Supportive housing		C	C	✓
<b>INSTITUTIONAL AND PUBLIC USES</b>				
<b>Educational Facilities</b>				
College or university			C	✓
Early childhood learning center	P	P	P	✓
Preschool	P	P	P	✓
School, grades K—12	C	P	P	✓
School, vocational or business		P	P	✓
<b>Social, Cultural, Charitable and Recreational Facilities</b>				
Athletic field	C	C	C	✓
Cemetery	C	C	C	
Club or lodge, with limited entertainment		C	C	✓
Community center		P	P	✓
Community garden	P	P	P	✓
Developmental achievement center	P	P	P	✓
Educational arts center	P	P	P	✓
Library	C	P	P	

## AUGUST 21, 2015

Museum		P	P	
Park, public	P	P	P	
Theater, indoor, live performances only	P	P	P	✓
<b>Religious Institutions</b>				
Convent, monastery or religious retreat center		P	P	✓
Place of assembly	P	P	P	
<b>Medical Facilities</b>				
Birth center	C	P	P	✓
Blood/plasma collection facility			P	✓
Hospital			C	✓
Laboratory, medical or dental		P	P	
<b>COMMERCIAL USES</b>				
Office	P	P	P	
Bed and breakfast home	C	C	C	✓
Child care center	P	P	P	✓
Clinic, medical or dental	C	P	P	
Farmers' market		P	P	✓
Funeral home		C	C	✓
Market garden, with a planting area of 10,000 sq. ft. or less	P	P	P	✓
Market garden, with a planting area greater than 10,000 sq. ft.	C	P	P	✓
Neighborhood serving retail sales and services		P	P	
Planned Unit Development	C	C	C	✓
<b>PARKING FACILITIES</b>				
Parking facility		C	C	
Parking lot, serving institutional and public uses	C	C	C	
Parking lot, serving multiple-family dwellings	C	C	C	
<b>PUBLIC SERVICES AND UTILITIES</b>				
Bus turnaround	C	C	C	
Communication exchange	C	C	C	
Electric or gas substation	C	C	C	
Fire station	C	C	C	
Heating or cooling facility		C	C	

AUGUST 21, 2015

---

Passenger transit station	C	C	C	
Police station	C	C	C	
Post office		C	C	
Railroad right-of-way	C	C	C	
Stormwater retention pond	C	C	C	
Water pumping and filtration facility	C	C	C	

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The ordinance was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Resolution 2015R-362 designating the Golden Valley Road Apartments Historic District as a Historic District.

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

**RESOLUTION 2015R-362**

**By Bender**

**Designating the Golden Valley Road Apartments Historic District as a Historic District.**

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on July 28, 2015, and recommended to the Standing Committee on Zoning and Planning that the Golden Valley Road Apartments Historic District, consisting of seven parcels located at 1900 Thomas Avenue N, 1900 Upton Avenue N, 2509 Golden Valley Road, 2517 Golden Valley Road, 2601 Golden Valley Road, 2711 Golden Valley Road, and 2721 Golden Valley Road, be designated as a historic district entitled Golden Valley Road Apartments Historic District; and

Whereas, the Golden Valley Road Apartments Historic District meets Heritage Preservation Regulations significance criterion #1 (the property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history); criterion #4 (the property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction); and criterion #6 (the property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects); and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on June 18, 2015; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such favorable comment being made in a letter dated July 5, 2014; and

Whereas, the Golden Valley Road Apartments Historic District local designation will include the exterior of the structures as well as some site features identified in the designation study; and

# AUGUST 21, 2015

---

Whereas, on August 13, 2015, the Standing Committee on Zoning and Planning recommends designation as a Historic District;

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

That the Golden Valley Road Apartments Historic District is hereby designated a Historic District.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The resolution was adopted.

The Minneapolis City Council hereby recommends passage of Resolution 2015R-363 approving the local historic district designation (BZH-28544) of the Lowry Hill East Historic Residential District, subject to the following conditions:

1. The Lowry Hill East Residential Historic District includes the 55 properties listed in the designation study.
2. The designation includes the entire exterior of the buildings.

Further, that the designation study be amended to increase the period of significance from 1882-1913 to 1882-1920; to add "Prairie" and "Arts and Crafts" to the list of significant architectural styles; and that the roster of contributing resources be amended to include properties that meet these characteristics.

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

## **RESOLUTION 2015R-363**

**By Bender**

### **Designating the Lowry Hill Residential Historic District.**

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on July 28, 2015, and recommended to the Standing Committee on Zoning and Planning that the Lowry Hill East Residential Historic District be designated; and

Whereas the Lowry Hill East Residential Historic District includes the following properties:

2400 Colfax Ave S	2444 Bryant Ave S	2404 Colfax Ave S	2447 Bryant Ave S
2408 Colfax Ave S	2439 Bryant Ave S	2410 Colfax Ave S	2433 Bryant Ave S
2416 Colfax Ave S	2429 Bryant Ave S	2420 Colfax Ave S	2425 Bryant Ave S
2424 Colfax Ave S	2421 Bryant Ave S	2428 Colfax Ave S	2417 Bryant Ave S
2432 Colfax Ave S	2415 Bryant Ave S	2440 Colfax Ave S	2409 Bryant Ave S
2447 Colfax Ave S	2405 Bryant Ave S	2441 Colfax Ave S	2401 Bryant Ave S / 811 24th St W

## AUGUST 21, 2015

---

2437 Colfax Ave S	2400 Aldrich Ave S	2433 Colfax Ave S	2406 Aldrich Ave S
2429 Colfax Ave S	2412 Aldrich Ave S	2425 Colfax Ave S	2416 Aldrich Ave S
2419 Colfax Ave S	2344 Aldrich Ave S	2417 Colfax Ave S	2316 Aldrich Ave S
2415 Colfax Ave S	2323 Bryant Ave S	2409 Colfax Ave S	2317 Bryant Ave S #1
2405 Colfax Ave S	2317 Bryant Ave S #2	911 24th St W	2317 Bryant Ave S #3
2400 Bryant Ave S	2317 Bryant Ave S #4	2408 Bryant Ave S	2317 Bryant Ave S #5
2412 Bryant Ave S	2317 Bryant Ave S #6	2416 Bryant Ave S	2311 Bryant Ave S
2420 Bryant Ave S	2309 Bryant Ave S	2424 Bryant Ave S	2428 Bryant Ave S
2432 Bryant Ave S	2436 Bryant Ave S	2442 Bryant Ave S; and	

Whereas, the recommended local designation of the Lowry Hill East Residential Historic District will include the entire exteriors of the buildings identified in the designation study; and

Whereas, the Lowry Hill East Residential Historic District meets Heritage Preservation Regulations significance criterion #1 (the properties are associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history); criterion #4 (the properties embody the distinctive characteristics of an architectural or engineering type or style, or method of construction); and criterion #6 (the properties exemplify works of master builders, engineers, designers, artists, craftsmen or architects); and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on June 18, 2015; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such comment being made in a letter dated July 5, 2015; and

Whereas, on August 13, 2015, the Standing Committee on Zoning and Planning recommends designation as a historic district;

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

That the Lowry Hill East Residential Historic District is hereby designated.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The report and resolution were adopted.

### INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by Frey, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code (amending regulations for small-scale grain milling):

- a. Chapter 520 relating to Introductory Provisions.
- b. Chapter 536 relating to Specific Development Standards.
- c. Chapter 548 relating to Commercial Districts.
- d. Chapter 550 relating to Industrial Districts.

Pursuant to notice, on motion by B. Johnson, 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 on September 16, 2015:  
Amending Title 9, Chapter 173 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Fire (adding a new section 173.220, authorizing the charging of fees for certain emergency services including technical rescue responses).

Pursuant to notice, on motion by Gordon and Warsame, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Health, Environment & Community Engagement Committee:  
Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse (adding a new Article VII regulating the use of carry out bags in retail establishments).

### RESOLUTIONS

Resolution 2015R-364 recognizing National Pregnancy and Infant Loss Awareness Day was adopted.

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

#### RESOLUTION 2015R-364

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

#### **Recognizing National Pregnancy and Infant Loss Awareness Day.**

Whereas, Infants Remembered In Silence, Inc. (IRIS) works with thousands of people all over Minnesota and across the United States who have experienced the death of a child during pregnancy through early childhood; and

Whereas, Many of these parents live in, deliver in, have a child die in, or a bury a child in Hennepin County; and

Whereas, Infants Remembered In Silence, Inc. supports parents whose children have died from miscarriage, ectopic pregnancy, molar pregnancy, stillbirth, neo-natal death, sudden unexplained death of a child (SUDC), sudden infant death syndrome (SIDS), birth defects, illness, accidents, and all other types of early childhood death; and

Whereas, bereaved parents remember these children annually with a 7 p.m. candle lighting on October 15. Some will remember their child/children in their homes while others will remember them in small gatherings around the state and across the nation; and

Whereas, lighting of the 35W Bridge would unify these parents in tribute to their children; and

Whereas, in 1988, President Ronald Reagan proclaimed October as National Pregnancy and Infant Loss Awareness month; and

Whereas, in honor of the thousands of children that die each year in Minnesota, Infants Remembered In Silence respectfully requests that the 35W Bridge be light in baby pink and baby blue;

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

That the City Council declares the 15th Day of October 2015 to be National Pregnancy and Infant Loss Awareness Day in the City of Minneapolis and that the 35W Bridge be lit in light pink and light blue on this day.

Resolution 2015R-365 recognizing the first Saturday in August 2016 as Emiliano Zapata Day was adopted.

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

**RESOLUTION 2015R-365**

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

**Recognizing the first Saturday in August 2016 as Emiliano Zapata Day.**

Whereas, Emiliano Zapata Salazar, born to an Indigenous and Spanish family in Anenecuilco, Morelos, Mexico, in 1879, is recognized as a national hero of the Mexican Revolution which lasted from 1910 to 1920; and

Whereas, Zapata captured the hearts and minds of the Mexican people who lived in severe poverty and under the repression of the military dictator Porfirio Diaz who for more than three decades ruled the country; and

Whereas, Zapata himself was a farmer who fought for social justice and land reform coining the famous phrase “the land belongs to those who till it;” and

Whereas, Minneapolis has become home to hundreds of people from the state of Morelos, with the highest number coming from the city of Axochiapan; and Whereas, Cuernavaca, the Capitol of Morelos, became a sister city to Minneapolis in 2008; and

Whereas, Plaza Centenario located on East Lake Street and 12th Avenue houses a bronze sculpture of Emiliano Zapata’s iconic image, which was a gift from the state of Morelos and ushered to Minneapolis by the Club Cuernavaca-Axochiapan-Morelos and our Cuernavaca Sister City Committee; and

Whereas, the establishment of Plaza Centenario in Minneapolis’s largest Latino community provides an opportunity for all residents to learn about the history and importance of Emiliano Zapata, celebrating the relationship between Mexico and the U.S. generally and Minneapolis and Morelos specifically; and

Whereas, on Saturday, August 8, 2015, Mr. Isaías Manuel Manrique Zapata, who is a descendant of and grandson to Emiliano Zapata came to Minneapolis to celebrate the Cooperativa Mercado Central’s 16th year anniversary in what would have been Emiliano Zapata’s 136th birthday;

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

That the first Saturday in August 2016 shall be known as Emiliano Zapata Day.

Resolution 2015R-366 authorizing Fire Fighters employed by the City to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the 2015 "Fill the Boot" campaign was adopted.

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

**RESOLUTION 2015R-366**

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

**Authorizing Fire Fighters employed by the City to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the 2015 "Fill the Boot" campaign.**

Whereas, the International Association of Fire Fighters (IAFF) is the labor organization that represents the 300,000 professional fire fighters who serve the public by saving lives and protecting property in cities and governmental units throughout the United States and Canada; and

Whereas, the IAFF is the single largest national sponsor of the Muscular Dystrophy Association (MDA); and

Whereas, since 1954, when it first initiated its partnership with the MDA, IAFF members have raised over \$275 million toward the worldwide research efforts of MDA to eradicate 40 neuromuscular diseases as well as help support MDA's summer camps for children, professional and public health education, and other programs; and

Whereas, each year fire fighters raise millions of dollars nationwide through their Fill the Boot campaigns, in which fire fighters collect donations of money to MDA in their fire boots; and

Whereas, the commitment of the fire fighters to the cause of MDA has further elevated their image as extraordinary professionals who not only put their own lives at stake to save others from fires, explosions, structural collapses, and other disasters but also as heroes helping to work toward saving the lives of the innocent victims of neuromuscular diseases; and

Whereas, the devoted support of IAFF members to the MDA not only provides significant financial assistance to finding a cure for these diseases, but also strengthens the relationship between the fire fighters and the members of the community they serve through the face-to-face interactions during the Fill the Boot campaign; and

Whereas, several cities across the United States annually allow their fire fighter crews to conduct the Fill the Boot campaign activities while on-duty in a manner that leaves them available and responsible to responding to emergency calls; and

Whereas, Minneapolis fire fighters conduct their Fill the Boot activities with their assigned fire rigs such as to permit immediate response to any call for service; and

Whereas, Minneapolis fire fighters are active members of IAFF Local 82 and have previously participated in the Fill the Boot campaign; and

Whereas, the Charitable Organization Policy adopted October 30, 2009, precludes on-duty fire fighter participation in the Fill the Boot campaign; and

Whereas, unlike other City of Minneapolis employees, fire fighters work a twenty-four hour shift that includes down time for personal activities; and

## AUGUST 21, 2015

---

Whereas, Minneapolis fire fighters intend to conduct their 2015 Fill the Boot activities on September 23, 24, and 25, 2015; and

Whereas, the Minnesota Chapter of the MDA has recognized the significant and valuable contribution of Minneapolis fire fighters to their annual fundraising efforts and strongly seeks their continued participation; and

Whereas, the City of Minneapolis supports the efforts of IAFF Local 82 and the MDA to find a cure for these terrible diseases; and

Whereas, the City of Minneapolis recognizes that participation by its fire fighters in the nationwide MDA Fill the Boot campaign serves not only to raise money for MDA but also benefits the City by greatly enhancing the image of its fire fighters as dedicated public servants engaged in the community through their employment and in service to charitable causes;

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

That Minneapolis fire fighter participation in the 2015 Fill the Boot campaign while on-duty will neither interfere with nor preclude the performance of their regular daily duties nor detract from other work-related obligations to the public.

Be It Further Resolved that Minneapolis fire fighter participation in the 2015 Fill the Boot campaign will be in the public interest and primarily serve a public purpose.

Be It Further Resolved that Minneapolis fire fighter participation in the 2015 Fill the Boot campaign is contingent upon 1) the compliance of the MDA with Minneapolis Code of Ordinances, Chapter 333, Article II, Charitable Solicitations; 2) the completed execution of an agreement between the City and the MDA in which the MDA agrees to defend and indemnify and hold harmless the City of Minneapolis for all workers' compensation claims and tort claims arising out of the Minneapolis fire fighter participation in the Fill the Boot campaign, including any costs incurred by the City pursuant to Minnesota Statutes, Chapter 299A; and 3) the MDA's provision of proof of commercial general liability insurance policy against claims for bodily injury and property damage with a limit of no less than \$1,500,000 per occurrence and an endorsement to the policy naming the City of Minneapolis as an additional insured.

Be It Further Resolved that the fire fighters participation in the 2015 Fill the Boot campaign is exempted from the restrictions of the Charitable Organizations Policy.

Be It Further Resolved that Minneapolis firefighters' participation in the 2015 Fill the Boot campaign is subject to reasonable conditions and limitations as may be established by the Fire Chief.

Be It Further Resolved that the 35W Bridge shall be lit in red the 23rd Day of September, 2015, to highlight fire fighter support on the first day of the Fill the Boot campaign.

### UNFINISHED BUSINESS

**Z&P** – Your Committee, having under consideration an appeal filed by Hillcrest Development LLP, on behalf of 807 Broadway Revival LLC, of the decision of the Zoning Board of Adjustment approving a parking variance (BZZ-7169) to reduce the minimum parking requirement from 46 spaces to 0 spaces, based on amendments to findings 2 and 3 and subject to conditions as outlined in the Community Planning & Economic Development staff report, to allow for a performing or visual arts school at the property located at 1300 Quincy St NE, now recommends that said appeal be **sent forward without recommendation**.

Reich moved to grant in part the appeal submitted by Hillcrest Development LLP, on behalf of 807 Broadway Revival LLC, by reducing the minimum off-street parking requirement from 46 spaces to 20 spaces and adopting the findings of the Community Planning & Economic Development (CPED) staff report, including additional findings made by the Board of Adjustment, which support a reduction of the minimum parking requirement for a performing or visual arts school at the property located at 1300 Quincy St NE, subject to the following condition:

- a. At least 11 bicycle parking spaces shall be provided that comply with the standards of Section 541.280 of the Zoning Code.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The motion was adopted.

**Z&P** – Your Committee, having under consideration an appeal filed by Carol Lansing, on behalf of Shorenstein Realty Services, of the following decisions of the City Planning Commission, regarding land use applications (BZZ-7172) at 100 Washington Ave S, now recommends that said appeal be **sent forward without recommendation**:

- a. A condition of approval for a variance of the plaza development standards to reduce the required amount of seating.
- b. A condition of approval for a site plan review application, specifically those conditions related to screening of the parking area.
- c. A denial of a variance of the maximum size of a freestanding sign.

Frey moved to grant in part and to deny in part the appeal filed by Carol Lansing, on behalf of Shorenstein Realty Services, of the following decisions of the City Planning Commission, regarding land use applications (BZZ-7172) at 100 Washington Ave S, as follows:

- a. Grant in part the appeal relating to a condition of approval for a site plan review application, specifically those conditions related to screening of the parking area, solely to the extent that the following sentence from the staff recommendation is stricken: "The steel railings which obstruct on site pedestrian access shall be removed."
- b. Grant the appeal of the denial of a variance of the maximum size of a freestanding sign, subject to the following condition: "The freestanding monument sign will not exceed 60 square feet."
- c. Deny the appeal relating to a condition of approval for a variance of the plaza development standards to reduce the required amount of seating.

On roll call, the result was:

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

Noes: (0)

Absent: Glidden (1)

The motion was adopted.

AUGUST 21, 2015

---

**ADJOURNMENT**

On motion by Quincy, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the legal matter of Milton v. Barze.

**ADJOURNED SESSION**

Council President Johnson called the adjourned session to order at 10:25 a.m. in Room 315, a quorum being present.

Deputy City Attorney, Peter Ginder, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the legal matter of Milton v. Barze.

At 10:26 a.m., on motion by Quincy, the meeting was closed.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey (In at 10:27 a.m.), Blong Yang, Abdi Warsame, Lisa Goodman, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson (In at 10:35 a.m.), Linea Palmisano, President Barbara Johnson.

Absent - Council Member Elizabeth Glidden.

Also Present - Peter Ginder, Deputy City Attorney, Tim Skarda, Litigation Manager, and Brian Carter, Assistant City Attorney, City Attorney's Office; John Stiles, Mayor's Chief of Staff; Deputy Chief Travis Glampe, Police Department; Casey Carl, City Clerk, and Peggy Menshek, City Clerk's Office.

Carter summarized the legal matter of Milton v. Barze from 10:26 a.m. to 10:54 a.m.

At 10:54 a.m., on motion by Quincy, the meeting was opened.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Quincy, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

Official Posting: 8/29/2015