

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF DECEMBER 29, 2000

(Published January 6, 2001, in *Finance and Commerce*)

Council Chamber
Minneapolis, Minnesota

December 29, 2000 - 9:30 a.m.

President Cherryhomes in the Chair.

Present - Council Members Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Lane, Herron, Johnson, Thurber, Ostrow, Campbell, President Cherryhomes.

Campbell moved acceptance of the minutes of the adjourned sessions held December 11 and 14 and the regular meeting of December 15, 2000. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266513)

2001 Single Family Housing Program: Resolutions approving program, related actions.

Near Northside Master Development Agreement: Authorize amendment by expanding time to enter into a redevelopment agreement for each project phase from six to nine months after reaching the commencement date.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266514)

Bridgerail Properties, LLC: Resolution granting preliminary approval to issue bonds to construct new building to be leased by Allweather Roof, Inc.

333 & 341-347 E Lake St: Request appropriation increase by \$23,000 from land sale proceeds to pay broker fees to Counselor Realty.

Humboldt Greenway Project: Request appropriation increase to reflect receipt of MN Housing Finance Agency Community Revitalization funds.

River Terminal: Request appropriation increase & increase in 2000 Annual Budget.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (266515)

Phase II Neighborhood Action Plan: Authorize establishment of Phase II Plan Development Advance Fund for neighborhoods that meet Phase II entry thresholds.

Victory NRP: Action Plan.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (266516)

Summary of 2001 Approved Budget.

PHILLIPS LEAD PROJECT (266517)

Statistical Information on Lead Research Project.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (266518)

Business Partners Mentorship Program: Issue Fund Availability Notices to Youth Trust to coordinate and manage program.

Central, Phillips and Northside Weed and Seed Sites: Amend contracts with State of Minnesota to extend performance period through December 31, 2001.

School Based Clinics: Issue Fund Availability Notices to Hennepin Faculty Associates and Children's Health Care Inc for physician services.

Public Health Advisory Committee: Approve appointments for two year term to expire December 31, 2001 -- Jodell O'Connel; Mike Harristhal; Kay Jones; Sara Mullett; and John Williams.

Community Resource Program Funding: Execute amendment to contract with Police Athletic League to reflect Year X funding.

HEALTH AND FAMILY SUPPORT SERVICES (266519)

Work Awareness/Career Exploration Services at Abraham Lincoln School for New Americans: Issue Fund Availability Notices to HIRED to provide services.

Northside Weed and Seed: Execute amendment to contract with Hennepin County Attorney's Office to decrease funding to reflect unspent funds for Coordinator position for Community Prosecution Project; and Execute amendment to agreement with Legacy Village Welcome Center for after school programming.

Phillips Weed and Seed: Execute contracts with Southside Neighborhood Housing Service as fiscal agent for City Green & the Big Woods Club for planting beautification projects within Weed and Seed boundaries; and Minneapolis American Indian Center Safe Haven to coordinate and implement Safety and Security Plan by providing uniformed off-duty police officers.

Welfare-to-Work Networks: Modify and Issue Fund Availability Notices with McKnight Network Organizations to extend time of performance and increase compensation for Phase II operations.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (266520)

Weed and Seed: Transfer \$16,827 in administrative funds to Finance Department for Fiscal staff support. 2001 Weed and Seed funding for Phillips and Northside Sites: Accept total of \$310,000 for Year 2001 funding from United States Department of Justice, Executive Office of Weed and Seed; Execute grant agreements; and Approve appropriation.

Central Weed and Seed Activities: Issue Fund Availability Notice to Summit Academy OIS as fiscal agent for Bobby Brown Beyond the Court Anti-Gun Violence Project; Execute amendment to contract with Urban Ventures for MAD DAD's Street Patrol; and Transfer \$4,500 to Public Works to purchase speed tables to be installed around Richard Green Central School.

HEALTH AND FAMILY SUPPORT SERVICES (266521)

Work Awareness/Career Exploration Services at Patrick Henry High School: Accept grant award of \$30,000 in Juvenile Justice Funds and execute grant agreement with State of Minnesota, Department of Economic Security; Approve appropriation; and Issue Fund Availability Notice to HIRED.

Minority Health Needs Assessment: Execute amendment to contract with State of Minnesota Department of Health to receive additional \$28,634 and extend performance period to conduct assessment; and Approve appropriation.

LICENSES AND CONSUMER SERVICES (266522)

Lead Hazard Reduction Grant: Execute contract with Greater Minneapolis Day Care Association for services during term of HUD Round VIII grant activities; and Approve transfer of grant funds to Finance Department for personnel expenses budgeted during Round IV grant period.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COORDINATOR (266523)

Federal Local Law Enforcement Block Grant: Forward citizen comments to federal government on proposed use of funds for Fiscal Year 2000 entitlement.

INSPECTIONS DEPARTMENT (266524)

Raze 2513-15 Polk St NE.

LICENSES AND CONSUMER SERVICES (266525)

Jubbland Restaurant: Execute Settlement Agreement relating to violations of Minneapolis Food Code.

Randy's Detailing (600 E Hennepin Av): Revoke Motor Vehicle Repair Garage License for failure to complete site plan review process.

Licenses: Applications.

POLICE DEPARTMENT (266526)

Mobile Data Computer System for Squad Cars: Execute contract with Aether Systems for software development phase of project.

SENIOR OMBUDSMAN (266527)

Special Assessment Deferment at 3934 Girard Av N: Approve request of Charles Beasley to defer tree removal assessment.

Special Assessment Deferment at 4656 Portland Av: Approve request of Ramona Starks to defer tree removal assessment.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (266528)

Lowry/Emerson Substation: Execute amendment to grant agreement with Minnesota Department of Public Safety to extend grant period through August 31, 2001.

Juvenile Prostitution Task Force: Approve appropriation of \$150,000 grant accepted by City Council November 9, 2000 to investigate juvenile prostitution.

Juvenile Accountability Incentive Block Grant: Submit grant application to Minnesota Department of Economic Security seeking \$607,818 to be shared with Hennepin County to continue support of Criminal Justice Coordinating Committee and Serious Habitual Offender Community Action Program and JNET initiatives.

POLICE DEPARTMENT (266529)

Multiple Jurisdiction Network Organization: Enter into membership agreement for fee of \$2,500 to become member of organization.

Detail of Officer to Red Lake Band of Chippewa Indians: Execute agreement to loan Officer Thunder to Tribe to act as Vice President of Security and Surveillance for six-month period.

PURCHASING (266530)

Bid: OP #5545, accept low bid of Trades Unlimited for rubbish and refuse removal services as directed by Inspections Department over two-year period.

TRANSPORTATION AND PUBLIC WORKS:

HENNEPIN AVENUE ADVISORY BOARD (266531)

Hennepin Avenue Streetscape Project: Request that the plan be forwarded to the City's capital improvement process.

PUBLIC WORKS AND ENGINEERING (266532)

Award: 2000 American Institute of Architects Minnesota Honor Award.

Light Rail Transit: Proposed Nicollet Mall Station: Design revisions.

National Pollutant Discharge Elimination System (NPDES) Stormwater Permit: Notification that the City will be issued a permit by the Minnesota Pollution Control Agency.

Traffic Zones, Restrictions and Controls: Quarterly submittal.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

DOWNTOWN COUNCIL (266533)

Skyway Advisory Committee: Appointment of Kevin Fossum.

Nicollet Mall Advisory Board: Appointment of membership.

PUBLIC WORKS AND ENGINEERING (266534)

Cedar Lake Parkway Bridge Reconstruction: Approve parking restrictions to comply with State regulations.

Minnesota Department of Transportation Metro Division Transportation System Plan: Comments.

Light Rail Transit: Yards & Shops Maintenance facility proposal.

PUBLIC WORKS AND ENGINEERING (266535)

Flood Mitigation Contract: Increase contract with Bonestroo, Rosene, Anderlik and Associates to include street design work in the vicinity of the 43rd & Park Av flood mitigation project.

Field Regina Area Street Lighting Project: Designate location and improvements, receive cost estimate and designate street lighting district.

Midtown Greenway Trail: Payment to Minnesota Department of Transportation for cost additions; Increase and extend construction contract with Collisys.

Pump Station No. 9: Increase contract with Wunderlich-Malec Engineering, Inc.

Disposal of Yard Wastes: Transfer contract with SKB to NRG.

SENIOR OMBUDSMAN (266536)

Deferment of Special Assessments: Requests of Sharon Kras, Edward P. Turck and Josephine Stewart.

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

PUBLIC WORKS AND ENGINEERING (266537)

Riverview Area Street Lighting Project (E 38th St & 42nd Av S): Project ordered to proceed and adopt special assessments, establish street lighting district, appropriate funds and request the Board of Estimate and Taxation to issue and sell bonds.

Sale of City-Owned Property (714 W Lake St): Sale of Aldrich Municipal Parking Lot and execution of development agreement with Village Green Residential Properties.

Golden Valley Road Reconstruction Project: Execute project agreement with Hennepin County.

PURCHASING (266538)

Bids: OP #5532, bid of Xcel Energy for transformer replacement; OP #5540, low bid of Avon AG-Lime for disposal of lime wastes; and OP #5541, low bid of Meridian Aggregate Company for fine aggregates.

TRANSPORTATION AND PUBLIC WORKS and ZONING AND PLANNING (See Rep):

PUBLIC WORKS AND ENGINEERING (266539)

Northstar Commuter Rail: Resolution approving Northeast station location and direction to submit comments on draft environmental impact statement.

WAYS AND MEANS BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266540)

Shingle Creek Commons: Ways & Means provided no comments relating to Modification #1 to Shingle Creek Commons TIF Plan.

CONVENTION CENTER (266541)

Convention Center Expansion Project: Receive & File Change Management Actions.

ESTIMATE AND TAXATION (266542)

Internal Audit: Receive & File Review of Internal Controls and Related Procedures over Unused and/or Canceled Airline Tickets.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (266543)

Workers' Compensation Settlement: Authorize in the matter of Patrick Foslien vs. City.

Workers' Compensation Settlement: Authorize in the matter of Thomas Gihl vs. City.

Workers' Compensation Settlement: Authorize in the matter of City vs. Grant Johnson/Jim Johnson.

CONVENTION CENTER (266544)

Convention Center Expansion Project: Change Order to Contract with Kellington Construction, Inc.

CONVENTION CENTER (266545)

Satellite Uplink/Downlink Services: Change of ownership from Contract with Teleport Minnesota to Contract with Liberty Livewire Corporation and GWNS Acquisition Sub, Inc (collectively, "Liberty.")

CULTURAL AFFAIRS (266546)

Advisory Panel, Neighborhood Arts Program: Approve funding recommendations for arts projects and programs.

EMPOWERMENT ZONE OFFICE (266547)

Empowerment Zone Grant Award: Accept grant from HUD.

Empowerment Zone Commercial Corridor Initiative: Issue RFP for revitalization of Lake St, Franklin Avenue, West Broadway, and Central Avenue NE.

HUMAN RESOURCES (266548)

Supervisor, Meter Service Workers Position: Salary Ordinance.

Code Compliance Officer I & II - Environmental Position: Salary Ordinance.

Assistant Manager - Environmental Health Position: Salary Ordinance.

Directors of Employee Services, Employment Services, & Enterprise Services: Salary Ordinance.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (266549)

Master Contracts for Vendor Services: Extend contracts with Labyrinth, Management Systems Solutions, and On-Demand Group, Inc.

Vendor Services: Authorize use of State RFP process, State IT vendor list.

PURCHASING (266550)

Bid: OP #5555, Accept only bid of Finance & Commerce for publication of Council proceedings, ordinances, proposals, resolutions and related matters.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (266551)

Irving Av S, 3408 (Thomas Hegranes/Leslie L Leik) begin demolition for expansion; Lake St W, 711 (Parts Photographic Arts Inc) banners; Nicollet Av S, 2344 (City of Lakes Waldorf School) classroom construction; University Av SE, 2525 (Leaning Tower of Pizza) liquor & restaurant licenses.

PLANNING COMMISSION/DEPARTMENT (266552)

GLM, LLC, 801-811 LaSalle Av: Pass resolution approving application for preliminary & final registered land survey application, staff report, findings, LaSalle Court RLS Exhibit, correspondence from BRW, Inc.

COUNCIL MEMBER MEAD (266552.1)

North Star Commuter Rail: Comments re proposed 7th St station by: Vernon H Hyvare of St Anthony East Neighborhood Association, Dan Elias-Churilla of St Anthony East Neighborhood Association, David L Lillehaug, attorney for St Anthony Square Condominiums, Eugene & Corinne

Robinson, Margaret A Egan of Townhomes of Citiscape, David A Tutewohl, Cindy Moews, Colleen Jackson, Patricia E Curtner, Ellen Ess, Gary & Bobbi Ahmann, Madeleine McElhone, Lisa Schmid, Robert L Wilson & Madeleine McElhone. *See T&PW and Z&P Joint Report of 12/29/00.

COUNCIL MEMBER OSTROW (266553)

North Star Commuter Rail Line: Comments re proposed 7th St station by Dan Elias - Churilla of St Anthony East Neighborhood Association. *See T&PW and Z&P Joint Report of 12/29/2000.

PLANNING COMMISSION:

RYAN COMPANIES US INC (266554)

Permission to vacate alley in block bounded by Ontario & Oak Sts SE, River Rd E & Fulton St SE.

UNFINISHED BUSINESS:

ATTORNEY (266555)

CUP Foods: "Appendix A, Conditions of Operation for CUP Foods".

FILED:

CITY CLERK/SPECIAL PERMITS (266556)

22nd St E, 1415 (Sign Solutions) sign;

27th Av NE, 1509 (Gustavus Adolphus Lutheran Church) nativity animals;

Bloomington Av S, 4010 (SignArt Co Inc) sign;

Minnehaha Pkwy E, 2401 (John Bell) horses;

Washington Av SE, 925 (Topline Adv Inc) sign.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the Single Family Housing Program, which allows the Minneapolis Community Development Agency (MCDA) or the Minneapolis/St. Paul Housing Finance Board to issue bonds or mortgage credit certificates in support of the MCDA's various single family mortgage or housing programs, and having held a public hearing thereon, now recommends passage of the accompanying resolutions -

a) Approving a Single Family Housing Program to be financed by the issuance of Single Family Mortgage Revenue Bonds and/or Mortgage Credit Certificates;

b) Approving a program of refunding Single Family Mortgage Revenue Bonds to provide for the recycling of program monies to make additional loans for low or moderate persons and families and approving and authorizing the execution of various documents in connection therewith; and

c) Authorizing the carry-forward of unused private activity bond volume cap.

Your Committee further recommends summary publication of the above-described resolutions.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-556, approving a Single Family Housing Program to be financed by the issuance of Single Family Mortgage Revenue Bonds and/or Mortgage Credit Certificates was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-556

By Niland

Approving a Single Family Housing Program to be financed by the issuance of Single Family Mortgage Revenue Bonds and/or Mortgage Credit Certificates.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C (the "Housing Act"), the City of Minneapolis, Minnesota (the "City") is authorized to adopt a housing plan and carry out programs for the financing of single family housing for persons of low and moderate income; and

Whereas, the Minneapolis/Saint Paul Housing Finance Board (the "Board"), a joint powers board organized under a Joint Powers Agreement (the "Joint Powers Agreement") by and between the Minneapolis Community Development Agency (the "Agency"), the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "Authority") and the City and accepted by the City of Saint Paul, Minnesota ("Saint Paul"), and under the laws of the State of Minnesota, proposes to undertake a single family housing program relating to the Minneapolis and the Saint Paul entitlement allocations available in 2001 and certain recycling refunding bonds (the "Program"), to be financed by the issuance of one or more series of mortgage revenue obligations, mortgage revenue refunding obligations and/or mortgage credit certificates ("MCCs") pursuant to Minnesota Statutes, Sections 469.001 to 469.047, Chapters 462A, 462C and 474A and Section 471.59 (collectively, the "Act"); and

Whereas, pursuant to the Act, the Board is authorized to issue bonds from time to time and to use the proceeds of its bonds to make or purchase mortgage loans or to purchase participations in mortgage loans from lending institutions and to issue MCCs in order to finance the construction and rehabilitation, and to facilitate the purchase and sale, of single family housing for eligible persons or families under the Act and to issue bonds to refund previously issued bonds; and

Whereas, the Program will provide below market interest rate mortgage loan financing or income tax credits primarily to persons of low or moderate income purchasing single family homes to be used as their principal places of residence and located within the geographic limits of the City or Saint Paul; and

Whereas, the Act requires adoption of the Program after a public hearing held thereon following publication of notice in a newspaper of general circulation in the City and Saint Paul at least fifteen days in advance of the hearing; and

Whereas, the Community Development Committee of the City Council on December 18, 2000, conducted a public hearing on the Program after publication of notice as required by the Act; and

Whereas, the Program was submitted to the Metropolitan Council at or before the time of publication of notice of the public hearing on such Program, and the Metropolitan Council afforded an opportunity to present comments at the public hearing, all as required by the Act; and

Whereas, the Program provides for the issuance of single family mortgage revenue bonds or revenue refunding bonds in one or more series pursuant to the Act (the "Bonds") to make or purchase or cause to be made or purchased mortgage loans, or to purchase securities the proceeds of which would be used to purchase mortgage loans, and the issuance of MCCs to finance the acquisition, primarily by low and moderate income persons and families, of single family housing located within the geographic boundaries of the City or Saint Paul; and

Whereas, it is proposed that the Program be approved and the Board be authorized to issue Bonds and MCCs pursuant to the Program and the Joint Powers Agreement; and

Whereas, it appears that the Program and the issuance of Bonds and/or MCCs by the Board or the Agency are in the best interests of the City;

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

1. The Program is hereby approved in its entirety in substantially the form on file with the City. The officers of the City are authorized to take all actions as may be necessary or appropriate to carry out the Program in accordance with the Act and any other applicable laws and regulations.

2. That the issuance of the Bonds or of MCCs to finance the Program is hereby finally approved

subject to agreement by the Board and the purchasers of the Bonds, if any, and by the Board or the Agency as issuer of the MCCs, as to the exact terms of the Bonds and the MCCs.

3. That the Bonds may be issued in one or more series at the time or times and pursuant to terms determined by the Board, and be structured so as to take advantage of whatever means are available and are permitted by law to enhance the security for, or marketability of, the Bonds, provided that any such financing structure must be approved by the Board. The MCCs may be issued at the time or times and pursuant to terms determined by the Board. All such determinations by the Board must comply with the applicable provisions of the Act and the Internal Revenue Code, of 1986, as amended, and regulations promulgated thereunder.

4. That the Board is authorized to take all actions which may be necessary or desirable in connection with the issuance of the Bonds and the MCCs, and no further approval or consent of the City shall be required prior to the issuance of the Bonds or the MCCs by the Board, or prior to the taking of any action by the Board to undertake and implement the Program.

5. That nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Program other than as specified and authorized by separate actions of the City and other than the revenues derived from the Program or otherwise granted to the City for such purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment against any property of the City. The Bonds shall recite in substance that the principal and interest thereon are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation of indebtedness.

6. That any one or more series of Bonds (to the extent authorized by law) or the MCCs may be issued by the Agency in lieu of issuance by the Board, at the discretion of the Agency.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-557, approving a program of refunding Single Family Mortgage Revenue Bonds to provide for the recycling of program monies to make additional loans for low or moderate persons and families and approving and authorizing the execution of various documents in connection therewith was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-557

By Niland

Approving a program of refunding Single Family Mortgage Revenue Bonds to provide for the recycling of program monies to make additional loans for low or moderate persons and families and approving and authorizing the execution of various documents in connection therewith.

Whereas, the City of Minneapolis (*the City*), either (a) on its own behalf, (b) acting through the Minneapolis Community Development Agency (*the MCDA*), or (c) acting through the Minneapolis/Saint Paul Housing Finance Board (*the MHFB*), pursuant to that certain Joint Powers Agreement, as amended, by and between the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (*the HRA*), the MCDA and the City of Minneapolis (*Minneapolis*) and accepted by the City of Saint Paul (*Saint Paul*), from time to time has issued individually or jointly with other issuers various series of single family mortgage revenue bonds, as listed on Exhibit A set forth in Petition No 266513,

(*the Prior Bonds*), for the purpose of providing below-market interest rate financing to low and moderate income persons and families (*Qualified Buyers*); and

Whereas, the federal tax law permits the issuance of tax-exempt refunding bonds to refund certain principal amounts of the Prior Bonds as they mature or become subject to redemption prior to maturity; and

Whereas, it is the policy of the City to "recycle" the resource represented by the Prior Bonds by issuing refunding bonds (*the Refunding Bonds*) to the greatest extent possible to provide for the origination of additional single family loans to Qualified Buyers; and

Whereas, because the various series of Refunding Bonds are due and become subject to redemption at various times during the calendar year in relatively small principal amounts which can not efficiently and economically be refunded by the issuance of separate series of refunding bonds, the City, in cooperation with the MCDA, Saint Paul and the MHFB, proposes that there be deposited in certain escrow accounts moneys sufficient, from time to time, to provide for the refunding of the Prior Bonds, and to periodically issue Refunding Bonds in principal amounts sufficient to reimburse such escrow deposits;

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

1. The Executive Director of the MCDA or his designee, is hereby authorized and directed to take such actions as are necessary or convenient to implement the City's policy of maximizing the resource represented by the Prior Bonds. Without limiting the generality of the foregoing, the Executive Director is specifically authorized to execute and deliver, from time to time, escrow agreements, including any amendments thereto, and to do all other things necessary or convenient to provide for the deposit of funds made available by the City, the MCDA or the MHFB (*Escrow Deposits*) to refund Prior Bonds becoming due or subject to prepayment from time to time.

2. The City intends to issue, or to cooperate with the MCDA, the MHFB and Saint Paul in the issuance of, the Refunding Bonds at such times and in such amounts as are effective and economical, in an aggregate principal amount from time to time identified by the Executive Director of the MCDA, or his designee in writing and filed in the official records of the MCDA, and estimated to be between \$30,000,000 and \$40,000,000 in 2001, to reimburse the City, the MCDA or the MHFB for any and all Escrow Deposits described in paragraph 1, all for the purpose of providing for the origination of additional single family mortgage loans to be made to Qualified Buyers.

3. All actions of the members, employees and staff of the City Council and the MCDA heretofore taken in furtherance of the policies of the City stated herein are hereby approved, ratified and confirmed.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-558, authorizing the carry-forward of unused private activity bond volume cap was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-558

By Niland

Authorizing carry-forward of unused private activity bond volume cap.

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

Whereas, the City's entitlement allocation for 2000 under Minnesota Statutes, Chapter 474A.03, subd. 2a(3) is \$21,509,000; and

Whereas, the City may, under § 146(f) of the Internal Revenue Code of 1986, as amended, and under Minnesota Statutes, Chapter 474A, "carryforward" all or a portion of the City's unused entitlement allocation for the year 2000; and

Whereas, it is in the best interest of the public health, safety and welfare that the City "carryforward" for qualified mortgage bonds and/or mortgage credit certificates any part of its entitlement allocation which remains unused at the end of 2000;

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

1. The City hereby elects to carryforward any part of the City's 2000 entitlement allocation awarded to the City pursuant to Minnesota Statutes, Chapter 474A which remains unused at the end of 2000 for the purposes of qualified mortgage bonds and/or mortgage credit certificates.

2. The Executive Director of the Minneapolis Community Development Agency is hereby authorized and directed to execute and cause to be filed with the Internal Revenue Service a Form 8328 specifying the amount of entitlement allocation carried forward by the City from the year 2000, and further specifying that such amount be carried forward for the purposes of qualified mortgage bonds or mortgage credit certificates. The Form 8328 shall be filed with the Internal Revenue Service on or before February 15, 2001. The City ratifies and confirms the Executive Director's notice to the Minnesota Department of Finance of such carryforward pursuant to Minnesota Statutes, Chapter 474A, and authorizes and directs the Executive Director to provide such notice in a timely fashion for future allocations, as appropriate.

3. Any amount carried forward for the purposes of qualified mortgage bonds and/or mortgage credit certificates may be utilized by the Minneapolis/Saint Paul Housing Finance Board pursuant to a single family housing finance program approved by the City pursuant to Minnesota Statutes, Chapter 462C. The proceeds of bonds or mortgage credit certificates issued by the Minneapolis/Saint Paul Housing Finance Board may be applied without regard to jurisdictional boundaries as provided in Minnesota Statutes, Section 462C.12, subd. 3.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration an amendment to the Master Development Agreement for the Near Northside Redevelopment Project, which primarily gave McCormack Baron & Associates, Inc. the exclusive right to negotiate development agreements with the City, Minneapolis Community Development Agency (MCDA) and the Minneapolis Public Housing Authority for each of the project's four housing development phases and specifies that a development agreement for each phase will be agreed to within six months after specified dates as set forth in Petn No 266513, now recommends that the proper City and/or MCDA officers be authorized to amend the Near Northside Master Development Agreement by extending the length of time to enter into a development agreement for each project phase from six to nine months after reaching the commencement date, due to the late securement of funds for the housing portion of the Phase I development.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Bridgerail Properties, LLC to finance the development of a new 43,000 square foot building on the south side of E 26th St on the block just west of Minnehaha Ave, adjacent to the railroad, to be leased by Allweather Roof, Inc., now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$2,500,000 in Taxable Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds,

Common Bond Fund Series 2000, for Bridgerail Properties, LLC (Allweather Roof, Inc), to be issued through the Minneapolis Common Bond Fund and designating the bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance, as set forth in Petn No 266514.

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by said Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-559, giving preliminary approval to and authorizing a project on behalf of Bridgerail Properties, LLC, and authorizing the issuance of revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-559
By Niland and Campbell

Giving preliminary approval to and authorizing a project on behalf of Bridgerail Properties, LLC, and authorizing the issuance of revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement.

Whereas, the City Council, by Ordinance No. 81-Or-017, as amended by Ordinance No. 82-Or-076, reorganized and renamed the Housing and Redevelopment Authority in and for the City of Minneapolis as the Minneapolis Community Development Agency (the "Former Agency"), and granted additional powers and duties pursuant to Minnesota Laws of 1980, Chapter 595; and

Whereas, the City Council, by Ordinance No. 86-Or-035, renamed the Former Agency as the Minneapolis Public Housing Authority in and for the City of Minneapolis and created a new public corporation named the Minneapolis Community Development Agency (the "Agency") to which it granted the development powers of the Former Agency and to which it extended the development obligations of the Former Agency; and

Whereas, pursuant to Minnesota Laws of 1980, Chapter 595, Ordinance No. 81-Or-017, as amended, and Ordinance No. 86-Or-035, as amended, of the City Council and Minnesota Statutes, Sections 469.152 through 469.1651 (collectively, the "Act"), the Agency is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue producing enterprise engaged in any business; and

Whereas, by Resolution No. 82-512, adopted by the Former Agency on December 15, 1982, as amended, the Former Agency established a certain common bond fund and provided for the issuance from time to time by the Agency of economic development revenue bonds to be secured thereby ("Common Fund Bonds"); and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended by the Minneapolis City Council on June 27, 1986, the Agency has authority to issue Common Fund Bonds and is the successor to the Former Agency for purposes of Common Fund Bonds; and

Whereas, Bridgerail Properties, LLC, a Minnesota limited liability company (the "Company"), has proposed to acquire land and construct an office and warehouse building to be located on the south side of East 26th Street in the City on the block just west of Minnehaha Avenue, adjacent to the railroad (hereinafter, the "Project"), and the Project will be leased by the Company to AWR, Inc., a Minnesota corporation, to be used in the operation of its commercial/industrial roofing business; and

Whereas, the Company has proposed that the Agency finance the Project by the issuance of its Common Fund Bonds under the Act, in the approximate amount of \$2,500,000 (the "Bonds"); and

Whereas, the City Council has been advised that in accordance with the Act, a public hearing on the proposal to finance the Project has been conducted by the Community Development Committee of the City Council on behalf of the Agency, preceded by notice thereof as required by the Act, and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project; and

Whereas, the City Council has been further advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency, by resolution adopted or to be adopted on the date hereof, has or will give preliminary approval to the Project in accordance with the Act;

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

That the City Council hereby gives preliminary approval to the Project and the issuance by the Agency of its Bonds pursuant to the Act for the purpose of financing the Project in the aggregate sum of \$2,500,000 or such other amount approved by the Agency not exceeding such sum by more than ten percent (10%).

Be It Further Resolved that this approval by Ordinance No. 86-Or-035, as amended, of the City Council is hereby given as required.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund FNA0 (MCDA Neighborhood Development) by \$23,000 from proceeds received from the land sale of 333, 341-47 E Lake St for payment of broker fees to Counselor Realty through the MCDA Broker Participation Program, and increasing the Fund FNA0 revenue estimate by \$350,000.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-560

By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund FNA0 - MCDA Neighborhood Development by \$23,000 and increasing the Fund FNA0 revenue estimate (3485 Sale of Land) by \$350,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (MCDA State Grants & Loans) by \$375,000 and increasing the SMN0 revenue estimate by \$375,000 to reflect Minnesota Housing Finance Agency Community Revitalization funds received for new housing construction and homebuyer assistance activities on behalf of the Humboldt Greenway project, set forth in Petn No 266514.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-561
By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN0 - MCDA State Grants & Loans by \$375,000 and increasing the Fund SMN0 revenue estimate (3215-04 MN State Grants) by \$375,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund ERT0 (River Terminal) by \$214,000, due to the operating expenses subject to approval by the MCDA and the City exceeding those anticipated at the beginning of the year, and by increasing the River Terminal 2000 Annual Budget by \$214,000 for a new total of \$2,638,919, as set forth in Petn No 266514.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-562
By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund ERT0 - River Terminal by \$214,000 from existing fund balance.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board relating to Phase II Neighborhood Action Plans set forth in Petn No 266515, now recommends -

1. Approval of the establishment of a Phase II Plan Development Advance Fund for neighborhoods that meet the Phase II entry thresholds to fund Phase I action plan reviews, collect needed information for Phase II, development Phase II participation agreements and increase community participation efforts;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$1,000,000;

3. That the proper City officers be authorized to execute any contracts or agreements needed to implement this request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-563

By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$1,000,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Victory Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$978,210 (includes \$726,500 in approved Early Access and First Step Plan funds), as set forth in Petn No 266515, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved, subject to additional neighborhood action on Strategy 1b contained in "VI. Education Plan" (page 9 of the Plan) relating to working with local establishments and the Webber Community Library to provide computers for public use;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$251,710;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

4. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-564
By Niland and Campbell

Amending The 2000 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$251,710.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee, having under consideration the Business Partners Mentorship Program where youth are matched with volunteer mentors from private sector companies who share experiences that reinforce good work habits and the connection between education and jobs, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to the Youth Trust, under Master Contract #14748, to coordinate and manage the program for approximately 333 youth participants from the Summer Youth Employment and Training Program, payable from Health & Family Support:

a. FAN #E9-2, in the amount of \$13,889, for the period January 1 through May 30, 2001 (040-860-8600);

b. FAN #G2-1, in the amount of \$11,111, for the period June 1 through September 30, 2001 (040-860-8600);

c. FAN #B9-2, in the amount of \$16,667, for the period January 1 through June 30, 2001 (060-860-8600); and

d. FAN #G3-1, in the amount of \$8,333, for the period July 1 through September 30, 2001 (060-860-8600).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the State Weed and Seed contracts for Central, Phillips and the Northside, now recommends that the proper City Officers be authorized to execute an amendment to Contracts #6000-14, #6000-15 and #6000-16 with the State of Minnesota, Office of Drug Policy, to extend the performance period through December 31, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the provision of physician services for the School Based Clinic Program, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs), payable from Health & Family Support:

a. FAN #Y1-2, under Master Contract #14926, to Hennepin Faculty Associates, in the amount of \$53,000, for services in the five high school clinics, as well as providing medical direction for the program during the period January 1 through December 31, 2001 (010-860-8622); and

b. FAN #Y6-1, under Master Contract #14970, to Children's Health Care Inc, in the amount of \$16,000, for services at the alternative school site of Education Place during the period January 1 through December 31, 2001 (060-860-8622).

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee recommends approval of the following appointments to the Public Health Advisory Committee for two-year terms to expire December 31, 2002:

- a. Jodel O'Connell, representing the Hennepin County Community Health Department;
- b. Mike Harristhal, representing the Minnesota Hospital and Healthcare Partnership;
- c. Kay Jones, representing the Third District Nurses;
- d. Sara Mullett, representing the Minneapolis Public Schools;
- e. John Williams, representing the Minneapolis District Dental Society.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having approved a two-year plan for the Community Resource Program in December 1997, now recommends that the proper City Officers be authorized to execute Amendment #6 to Contract #10696 with the Police Athletic League to increase the amount by \$15,000 for a new total contract not to exceed \$170,000, to add the 1999 authorized Year X Community Resource Program funding, payable from Health & Family Support (060-860-8605).

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the provision of administrative and staff services for at-risk youth at the Abe Lincoln School for New Americans, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to HIRED to provide career exploration and work skills activities including case management, career planning and exploration, internships, apprenticeships, full and part-time employment, mentorship and job retention/support services, payable from Health & Family Support (030-860-8600):

- a. FAN #E6-1, under Master Contract #10009, in the amount of \$25,000, for the period January 1 through June 30, 2001; and
- b. FAN #G5-1, under Master Contract #10009, in the amount of \$25,000, for the period July 1 through December 31, 2001.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having received funding recommendations from the Northside Weed and Seed Steering Committee, now recommends that the proper City Officers be authorized to:

- a. execute Amendment #1 to the Contract with the Hennepin County Attorney's Office, to decrease the amount by \$8,100 for a new total contract amount of \$27,580.78, to reflect the unspent funding for a Coordinator for the Community Prosecution Project on the Northside for the period May 1 through December 31, 2000; and
- b. execute an Amendment to the Contract with Legacy Village Welcome Center, to increase the amount by \$700 for a new total contract amount not to exceed \$13,700, to support after school programming for the period May 1 through December 31, 2000, payable from Health & Family Support (060-860-8606).

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having received funding recommendations from the Phillips Neighborhood Weed and Seed Steering Committee, now recommends that the proper City Officers be authorized to execute contracts with the following agencies for activities as part of its approved Year 2000 Weed and Seed Plan, payable from Health & Family Support:

a. Southside Neighborhood Housing Service, as fiscal agent for City Green & the Big Woods Club, in the amount of \$9,842, for Weed and Seed planting beautification projects within the Weed and Seed boundaries during the period May 1 through December 31, 2000 (030-860-8606); and

b. Minneapolis American Indian Center Safe Haven, in the amount of \$15,000, to coordinate and implement a Safety and Security Plan for the Minneapolis American Indian Center Safe Haven by providing uniformed off-duty police officers during the period November 14, 2000 through December 31, 2001 (060-860-8606).

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the second year of funding for Phase II operations of the McKnight Foundation Welfare-to-Work Networks, now recommends that the proper City Officers be authorized to modify and/or issue the following Fund Availability Notices (FANs) to agencies to add \$215,644 of McKnight funds and \$123,035 of Minnesota Family Investment Program (MFIP) funds and extend the performance period through December 31, 2001 to carry out activities included in the 1999 application/plan submitted to the McKnight foundation, payable from Health & Family Support (060-860-8605):

a. New FAN #Z9-1, under Master Contract #10021, to American Indian OIC (transferred from the American Indian Chamber of Commerce), in the amount of \$42,000, to support case management and the Emergency fund;

b. New FAN #X6-1, under Master Contract #10021, to American Indian OIC (transferred from the American Indian Chamber of Commerce), in the amount of \$51,595, to support case management and networking;

c. Amended FAN #Z9-1b, under Master Contract #10007, to Pillsbury Neighborhood Services Unity, in the amount of \$80,000, for Emergency fund administration;

d. Amended FAN #X6-1b, under Master Contract #10007, to Pillsbury Neighborhood Services Unity, in the amount of \$61,186, to provide support for McKnight Network staff and related costs;

e. Amended FAN #Z9-1a, under Master Contract #12204, to Urban Hope Ministries, in the amount of \$17,143, for staff support for the Northside Network;

f. Amended FAN #Z9-1b, under Master Contract #12206, to Powderhorn Phillips Cultural Wellness Center, in the amount of \$8,571, to administer the Emergency fund for the Southside Network;

g. Amended FAN #Z9-1b, under Master Contract #12206, to Powderhorn Phillips Cultural Wellness Center, in the amount of \$36,571, to provide support to all McKnight Networks - Leadership Circle; and

h. Amended FAN #Z9-1c, under Master Contract #12188, to Freeport West, in the amount of \$130,286, to organize Community Living Rooms and natural support systems.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS - Your Committee, to whom was referred an ordinance repealing Chapter 240 of Title 12 of the Minneapolis Code of Ordinances relating to *Housing: Lead Poisoning Prevention and Control*, to allow for inclusion of a new Chapter 240, adopted December 15, 2000, entitled *Lead Poisoning*

Prevention and Control, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-132 repealing Title 12, Chapter 240 of the Minneapolis Code of Ordinances relating to *Housing: Lead Poisoning Prevention and Control* to allow for inclusion of a new Chapter 240, adopted December 15, 2000, entitled *Lead Poisoning Prevention and Control*, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-132
By Herron
Intro & 1st Reading: 11/9/2000
Ref to: H&HS
2nd Reading: 12/29/2000

Repealing Chapter 240 of Title 12 of the Minneapolis Code of Ordinances relating to Housing: Lead Poisoning Prevention and Control.

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

Section 1. That Chapter 240 of the above-entitled ordinance be and is hereby repealed.

CHAPTER 240. LEAD POISONING PREVENTION AND CONTROL

240.10. Findings. The city council finds, determines and declares that lead is a toxic element that does not naturally occur in the human body at high levels; that lead is not necessary for any physiological functions; that excess lead in the human body is harmful and impairs biochemical reactions which can result in neurobehavioral and growth defects, negative metabolic effects, central nervous system function impairment including delayed cognitive development and lower IQ scores, impaired hearing, anemia, and neurological impairment; that severe lead burden or lead poisoning can result in coma, convulsions, profound mental retardation, seizures and even death; that children and fetuses are most susceptible to physiological damage caused by lead; that one of the more common sources of lead is lead-based paint found in and on the older housing stock of the city and to a lesser extent soil lead and lead from stationary sources. Adequate protection of the public health, safety and welfare requires the establishment and enforcement of the means by which lead damage, which constitutes a nuisance as defined herein, may be abated.

240.20. Definitions. The following terms shall have the following meanings when used in these regulations:

(a) Abatement shall mean the appropriate reduction of, removal of, or encapsulation of lead followed by thorough cleanup of the surfaces and sources that promote exposure to lead.

(b) Commissioner means the commissioner of the City of Minneapolis Health Department, or his/her agent.

(c) Department means the City of Minneapolis Health Department.

(d) Elevated blood lead level means a blood lead concentration equal to or greater than twenty-five (25) micrograms per deciliter or any other abnormal body burden of lead as defined by the commissioner.

(e) Lead based refers to paints, glazes and other surface coverings and means containing a toxic level of lead.

(f) Lead-safe means that the nuisance has been abated.

(g) Lead violation means a "toxic level of lead" as defined herein.

(h) Nuisance means the presence of an elevated blood level in a child who is an occupant of a dwelling that is shown to have a toxic level of lead which is likely to contribute to the continued elevated blood lead level of the child.

(i) Portable X-ray fluorescence analyzer (XRF) means the machine which measures lead concentration in milligrams per square centimeter by measuring activity of lead electrons activated by a radioactive source within the machine.

(j) Toxic level of lead means the level of lead which materially endangers the health of children or adults by producing a substantial and serious danger of lead poisoning. When present in paint, plaster or other accessible substances in residential dwellings, a toxic level of lead shall be deemed to be either of the following as determined by the commissioner:

(1) More than one-half (0.5) per cent lead by dry weight as measured by atomic absorption spectrophotometry test of sample.

(2) More than one and two-tenths (1.2) milligrams lead per square centimeter of surface as measured on-site by portable XRF analyzer or properly calibrated comparable equipment.

240.30. Procedures related to the identification of an EBL person. In the event that a person has been identified as having an elevated blood level (EBL), the commissioner shall direct the department to conduct an environmental inspection of the person's primary and/or secondary residence. If a nuisance, as defined herein, is found, the commissioner shall issue a notice requiring the abatement of the nuisance by the owner in conformance with this ordinance. If the commissioner determines that a nuisance exists in a multiple-dwelling unit building, in addition all common areas of the building shall be assessed for lead and orders issued as necessary to abate the nuisance.

In addition, if any city inspector, upon entering a dwelling because of business unrelated to lead, should in their best judgment suspect the presence of lead-based paint, and children under six (6) or women of childbearing age are living there, such inspector shall report the situation to the commissioner. The commissioner shall take such action as necessary which may include the following:

(1) Educational information regarding the potential health hazards of lead, and the prevention of problems associated therewith;

(2) Information regarding the lead screening process for children;

(3) Any other action deemed appropriate by the commissioner.

240.40. Procedures relating to the issuance of an order to abate. (a) If the commissioner determines the existence of a nuisance, as defined herein, the commissioner shall notify the owner of the property and/or the person responsible for abatement, and the tenants of the existence of the lead violation and order the abatement of such nuisance within a specified time. Abatement is not to exceed thirty (30) days unless otherwise ordered by the commissioner.

(b) No extension of time for such abatement shall be granted except upon a finding by the commissioner that the person responsible for abatement and/or the owner has made substantial progress in abating the nuisance or made a good faith effort to effect compliance with the abatement order.

240.50. Standard of abatement. (a) Posting of dwelling.

(1) Upon a determination by the commissioner that a nuisance, as defined herein, exists, the commissioner shall cause to have prominently posted on all entrances to said dwelling or premises a notice not less than eight and one-half (8 1/2) by eleven (11) inches in size, stating that said premises or dwelling contains dangerous amounts of lead or other materials to which children under the age of six (6) and women of childbearing age should not be exposed.

(2) No person shall deface or remove the posting or placarding from any dwelling unit which has been posted, placarded, or condemned. Such placards shall only be removed by the enforcing officer or department.

(b) Methods of abatement. The commissioner shall prescribe such procedures as are necessary to provide for safe methods of abatement of the nuisance depending on all the facts and circumstances as disclosed by the investigation of the department.

(c) Methods of cleanup. The commissioner shall prescribe such procedures as are necessary to provide for the safe cleanup of the nuisance, depending on all the facts and circumstances as disclosed by the investigation of the department.

240.60. Children and pregnant women. If the commissioner determines that the abatement process will create a significant health risk, children and pregnant women shall not enter or remain in a dwelling at any time during the abatement process, and shall not return to the dwelling at any time until the commissioner determines that abatement and cleanup have been completed in a satisfactory manner and the residence has been declared lead-safe by the department.

240.70. Disposal of abatement waste. Disposal of waste generated in the course of the abatement process shall be in compliance with the regulations of the Minnesota Pollution Control Agency. Lead waste shall be removed from the site not later than seven (7) days after completing the abatement but before the occupants return to the dwelling. Debris shall be stored so it is inaccessible to children.

240.80. Monitoring. (a) The commissioner may inspect any dwelling or secondary residence at any time during the abatement process to determine compliance with abatement standards.

(b) The determination that the nuisance has been abated shall be based on one or more of the following as deemed appropriate by the commissioner:

- (1) Visual inspection;
- (2) Reading of the XRF analyzer;
- (3) Dust sample analysis;
- (4) Analysis of paint samples.

(c) Follow-up monitoring of dust lead levels shall be done at an interval of six (6) to twelve (12) months post-abatement at the discretion of the commissioner.

240.90. Exemptions. The commissioner may, on a case-by-case basis, approve an alternative procedure for abatement of lead nuisance violations, provided that the owner submits a written description of the alternative procedure to the commissioner and demonstrates to the satisfaction of the commissioner that compliance with this regulation is not practical or feasible. The commissioner may approve an alternative procedure if he/she determines that it will minimize the emissions of lead into the environment and prevent lead burden.

240.100. Enforcement of compliance. The commissioner shall enforce the provisions of this chapter pursuant to the authority of sections 244.120 through 244.190 of this Code.

In addition, the commissioner may seek such judicial relief in district court as is necessary to effect compliance with abatement orders. Where the district court finds that noncompliance with such orders was willful and without just cause, a civil penalty not to exceed one thousand dollars (\$1,000.00) may be imposed for each violation.

Any person aggrieved by an order of the commissioner may appeal in accordance with the requirements of Chapter 242 of this Code.

240.110. Annual report. The commissioner shall provide an annual report to the appropriate committee of the city council on sources of lead contamination, lead levels found in street soil and compost and lead-burdened children.

240.120. Severability. If any section, sentence, clause or phrase of this ordinance [chapter] is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance [chapter].

240.130. Effective date. This ordinance [chapter] shall be effective commencing January 1, 1990., modified or quashed.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget - Your Committee, having received notice of a grant award from the State of Minnesota to continue administrative and staff services for at-risk youth at Patrick Henry High School, now recommends the following:

- a. that the proper City Officers be authorized to receive \$30,000 in Juvenile Justice Funds and execute a grant agreement with the State of Minnesota Department of Economic Security;
- b. passage of the accompanying Resolution appropriating \$30,000 to the Health & Family Support Agency to reflect receipt of said grant funds; and
- c. that the proper City Officers be authorized to issue Fund Availability Notice #B5-2, under Master Contract #10009, to HIRED, in the amount of \$30,000, to provide career exploration and work skills activities during the period January 1 through December 31, 2001, payable from Health & Family Support (030-860-8600).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2000R-565
By Herron and Campbell**

Amending The 2000 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 & Family Support Agency in the Grants - Federal Fund (030-860-8600) by \$30,000 and increasing the Revenue Source (030-860-8600 - Source 3210) by \$30,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having received a grant to conduct a Minority Health Needs Assessment to research the health status of minority communities in order to use the data for public health policy and programmatic decisions, now recommends that the proper City Officers be authorized to execute an Amendment to Contract #15002 with the Minnesota Department of Health for the receipt of an additional \$28,634, and to extend the performance period of the grant through June 30, 2001.

Your Committee further recommends passage of the accompanying Resolution appropriating \$28,634 to the Health & Family Support Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2000R-566
By Herron and Campbell**

Amending The 2000 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 & Family Support Agency in the Grants - Other Fund (060-860-8618) by \$28,634 and increasing the Revenue Source (060-860-8618 - Source 3215) by \$28,634.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee recommends passage of the accompanying Resolution transferring \$16,827 of Weed and Seed administrative funds from the Health & Family Support Agency to the Finance Agency to provide fiscal support for the Central, North and Phillips Weed and Seed sites.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-567

By Herron and Campbell

Amending The 2000 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. decreasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8605) by \$16,827; and

b. increasing the appropriation for the Finance Department Agency in the Grants - Federal Fund (030-820-8203) by \$16,827.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration Year 2001 funding for the Phillips and Northside Weed and Seed sites, now recommends:

a. that the proper City Officers be authorized to accept Year 2001 United States Department of Justice, Executive Office of Weed and Seed funds, in the amount of \$310,000, as a pass through from the State of Minnesota; for the Phillips and Northside sites (\$155,000 for each site);

b. that the proper City Officers be authorized to execute the required grant agreements; and

c. passage of the accompanying Resolution appropriating \$310,000 to the Non-Departmental Agency to reflect receipt of said funds.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-568

By Herron and Campbell

Amending The 2000 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 Non-Departmental Agency in the Grants - Federal Fund (030-123-8606) by \$310,000 and increasing the Revenue Source (030-123-8606 - Source 3210) by \$310,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having received funding recommendations from the Central Neighborhood Weed and Seed Steering Committee, now recommends that the proper City Officers be authorized to:

a. issue Fund Availability Notice #X1, under Master Contract #10004, to Summit Academy OIC, as fiscal agent for the Bobby Brown Beyond the Court Anti-Gun Violence Project, in the amount of \$10,000, for the period July 1, 2000 through December 31, 2001, payable from Health & Family Support (060-860-8606);

b. execute Amendment #1 to the Contract with Urban Ventures, to increase the amount by \$15,000 for a new total amount not to exceed \$17,000 (\$15,000 for the Central site and \$2,000 for the Northside site) and extending the performance period through December 31, 2001 for the MAD DAD's Street Patrol, payable from Health & Family Support (060-860-8606); and

c. passage of the accompanying Resolution transferring \$4,500 of Central Weed and Seed State funds from the Health & Family Agency to the Public Works Agency to purchase speed tables to be installed around the Richard Green Central School.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2000R-569
By Herron and Campbell**

Amending The 2000 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. decreasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8606) by \$4,500; and

b. increasing the appropriation for the Public Works Agency in the Grants - Other Fund (060-943-9480) by \$4,500.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration the provision of lead hazard reduction services in accordance with the work plan of the United States Department of Housing & Urban Development Round VIII grant, now recommends that the proper City Officers be authorized to execute an Agreement with the Greater Minneapolis Day Care Association, in an amount not to exceed \$450,000 for lead hazard reduction activities, payable from Licenses & Consumer Services (030-835-8393).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget - Your Committee recommends passage of the accompanying Resolution transferring \$12,500 from the Licenses & Consumer Services Agency to the Finance Agency to cover personnel expenses budgeted for the Finance Department until the end of the Round IV Lead Hazard Reduction Grant period.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2000R-570
By Herron and Campbell**

Amending The 2000 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. decreasing the appropriation for the Licenses & Consumer Services Agency in the Grants - Federal Fund (030-835-8393) by \$12,500; and

b. increasing the appropriation for the Finance Department Agency in the Grants - Federal Fund (030-820-8230) by \$12,500.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of CSM Hospitality Inc, dba Courtyard by Marriott, 225 3rd Av S for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire January 1, 2002, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Screaming Triangle LLC, dba Minneapolis Eagle, 515 Washington Av S, for a Special Late Night Entertainment License (new business - open 1:00 a.m. to 3:00 a.m.) to expire January 1, 2001, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved December 29, 2000. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published January 3, 2001)

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire January 1, 2002

PLR Holding Corporation, dba Jug Liquor Store, 226 W Broadway;

Off-Sale Liquor, to expire October 1, 2000

Camden Liquors Inc, dba Camden Liquors, 4155 Lyndale Av N (new manager);

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2001

422 Hennepin Inc, dba Brass Rail, 422 Hennepin Av (upgrade to Class "A" with Sunday Sales and internal transfer of shares);

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2002

Gay Nineties Inc, dba Gay Nineties, 400 Hennepin Av, 1st and 2nd floor;

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2001

Harveys Operations LLC, dba Harveys, 106 3rd St N (change in ownership from B & J Coleman Property Management Inc);

River Jakes Inc, dba Nye's Polonaise Room, 112 E Hennepin Av (new shareholder, new corporate officer);

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2001

Loring Pasta Bar LLC, dba Loring Pasta Bar, 325 14th Av SE (new business);

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 1999

Viking Bar Inc, 1829 Riverside Av (new shareholder/partner and manager - estate in probate);

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2000

O'Donovans Irish Pub LLC, dba O'Donovans Irish Pub, 700 1st Av N (new shareholder/partner and new manager);

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2002

Historic Theatre Group Ltd, dba Historic Orpheum Theatre, 910 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2001

Rainbow Restaurant Properties Inc, dba Chino Latino, 2916 Hennepin Av (internal transfer of shares);

Restaurant Properties Inc, dba Figlio, 3001 Hennepin Av (transfer of shares);

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2002

Zelo Inc, dba Zelo, 831 Nicollet Mall;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2001

Associated Foodservices Inc, dba Oceanaire, 1300 Nicollet Mall (internal transfer of shares);

Manny's Steakhouse Inc, dba Manny's Steakhouse, 1300 Nicollet Mall (internal transfer of shares);

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2001

Lai Wong Inc, dba Red Dragon, 2116 Lyndale Av S;

Temporary On-Sale Liquor

Minnesota Public Radio, dba Minnesota Public Radio, 45 E 7th St, St. Paul
(February 2, 2001, 3:00 p.m. to 9:00 p.m.; February 3, 2001, 11:00 a.m. to 7:00 p.m.; and February 4, 2001, 11:00 a.m. to 5:00 p.m. at Minneapolis Convention Center, with entertainment February 2nd & 3rd;
Licensed Facilitator: Kelber Catering);

On-Sale Beer Class E, to expire April 1, 2001

Sky Ventures LLC, dba Pizza Hut, 1301 University Av SE (change in ownership from Pizza Huts of the Northwest Inc);

Sky Ventures LLC, dba Pizza Hut, 2150 E Lake St;

Fresh Wok Inc, dba New Fresh Wok, 5033 France Av S (new business).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of December 29, 2000, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 266525):

Amusement Devices; Place of Amusement Class B-1; Asphalt Shingles & Roofing Manufacturer; Billboard Erector; Bill Posting & Sign Painting; Bill Posting, Sign Painting & Hanger; Building Contractor Class A; Building Contractor Class B; Christmas Tree; Dry Cleaner - Non-flammable; Dry Cleaning & Laundry Pickup Station; Drywall Contractor; Special Late Night Entertainment; Fire Extinguisher Servicing Class A; Caterers; Confectionery; Grocery; Food Manufacturer; Restaurant; Short Term Food Permit; Sidewalk Cafe; Gas Fitter Class A; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Hospital; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory; Towing Class B; Towing Class D; Commercial Parking Lot Class B; Pawnbroker Class A; Pet Shop; Plasterer; Plumber; Refrigeration Systems Installer; Secondhand Goods Class B; Antique Dealer Class B; Sign Hanger; Solid Waste Hauler; Steam & Hot Water Systems Installer; Taxicab Vehicle; Theater Zone I; Theater Zone III; Tobacco Dealer; Combined Trades; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class C

VFW Post 246 Ballentine Auxiliary, 2916 Lyndale Av S;

Gambling Lawful Exempt

Evangelical Lutheran Good Samaritan, 4800 W 57th St, Sioux Falls, SD (raffle December 15, 2000 at University Good Samaritan Center, 22 27th Av SE);

Regents of the University of Minnesota, 200 Oak St SE #600 (raffle, March 1, 2001 at McNamara Alumni Center, 200 Oak St SE);

Big Brothers Big Sisters of Greater Minneapolis, 2915 Wayzata Boulevard (raffle April 7, 2001 at Hyatt Regency Minneapolis, 1300 Nicollet Mall);

Ronald McDonald House Charities, 608 Ontario St SE (raffle March 15, 2001).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Confectionery License held by Said Ali, Abdulkadir Wasami and Abdi Qodar, dba Equatore Café, 2835 Nicollet Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for failure to comply with Food and Beverage Code violations and complaints regarding maintenance of the garbage and refuse area and the adjacent parking lot, now recommends adoption of the following recommendations, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee shall maintain and keep the garbage and refuse area clean and free from litter and keep lids on the garbage receptacles, as well as closed and locked. Litter shall be picked up in the parking lot and next to the building on a daily basis. The licensee shall cooperate with Pho Tau Bay, 2837 Nicollet, to achieve said recommendation;

b. that the licensee shall make arrangements to professionally clean the back stairs and to discontinue throwing or dragging bags of garbage down the stairs;

c. that the licensee shall make arrangements for a re-inspection before December 11, 2000; all critical and non-critical violations must be corrected at this inspection;

d. that the licensee shall provide an official receipt indicating the source of the sambusa served to customers;

e. that the licensee shall have three or less critical violations and eight or less non-critical violations in the next routine inspection and shall correct all violations within the times specified;

f. that Said Ali shall complete the Food Manager Certification on January 10, 2000;

g. that the licensee shall accurately complete all Licensing, Zoning and Environmental Health applications and return to the proper offices in the official time periods allotted by each Department;

h. that in lieu of a 60-day license suspension, the licensee agrees to pay an administrative penalty of \$200 and an additional \$100 for each new complaint about the garbage and refuse area and litter in the parking lot. If all items on the re-inspection to be scheduled before December 11, 2000 are not abated, the penalty will be \$300, which must be paid by February 15, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Restaurant License held by Jubbaland Restaurant, 806 E Franklin Av, and whereas Jubbaland Restaurant has been cited by the City of

Minneapolis as having had numerous violations of the Minneapolis Food Code, and an administrative hearing having been re-scheduled before an Administrative Law Judge to obtain an administrative decision as to whether good cause exists to take adverse action against the license, now recommends that the proper City Officers be authorized to execute a Settlement Agreement with Jubbaland Restaurant, the terms as set forth in Petn No 266525 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Motor Vehicle Repair Garage License held by Randy's Detailing, 600 E Hennepin Av, and having held a hearing to determine whether the licensee has met the requirements of Minneapolis Code of Ordinances, Chapter 317 relating to *Licenses and Business Regulations: Motor Vehicle Repair Garages*, and Chapter 259 relating to *Licenses and Business Regulations: In General*, now recommends that said license be revoked for failure to complete the site plan review process. (Petn No 266525)

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration report passed November 9, 2000 whereby the Motor Vehicle Repair Garage License held by Fremont Automotive, 4053 Fremont Av N, was revoked for failure to complete the site plan review process, now recommends that said report be amended by deleting the language "revoked for failure to complete the site plan review process" and inserting in lieu thereof the word "granted".

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the 2000 United States Department of Justice, Bureau of Justice Assistance Local Law Enforcement Block Grant, and having held a public hearing thereon to receive comments on the proposed categories for funding (Petn No 266523) in accordance with federal guidelines, now recommends that the proper City Officers be directed to convey to the federal government the required details relating to said public hearing, including the date and number of residents in attendance.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having considered the special assessment deferment application (Senior Citizen) submitted by Charles Beasley to defer a tree removal special assessment (Levy 01084) in the principal amount of \$2,662.00 for payable 2001 and subsequent years on the property at 3934 Girard Av N, PID 04-029-24-42-0132, now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 to 435.195 and Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having considered the special assessment deferment application (Senior Citizen) submitted by Ramona Starks to defer a tree removal special assessment (Levy 01084) in the principal amount of \$1,353.00 for payable 2001 and subsequent years on the property at 4656 Portland Av S, PID 15-028-24-11-0040, now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 to 435.195 and Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the property located at 2513-15 Polk St NE which has been determined by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally known as Lots 16 & 17, Block 11, Menage's Supplement to East Side Addition to Minneapolis (PID #12-029-24-23-0151), as more fully set forth in Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the development of the Mobile Data Computer System for Police Department squad cars, now recommends that the proper City Officers be authorized to execute a contract with Aether Systems Inc, in the amount of \$1,000,000, for the software development phase of the project, payable from the COPS-MORE federal grant in the Police Department (030-400-4182-CM98).

Biernat moved to amend the report by deleting the figure "\$1,000,000" and inserting in lieu thereof "\$1,054,555". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Lois R. Mokros, dba Yellow #70, 2122 Dupont Av N, for a Taxicab Vehicle License (person to person transfer from Steven Graf) to expire February 1, 2001, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved December 29, 2000. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published January 3, 2001)

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee, having received a grant for the operation of the Lowry/Emerson Substation from the Minnesota Department of Public Safety, Office of Drug Policy and Violence Prevention, now recommends that the proper City Officers be authorized to execute an amendment to the grant agreement with the Minnesota Department of Public Safety to extend the grant period from December 31, 2000 to August 31, 2001; all other terms and conditions of said agreement shall remain unchanged.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved December 29, 2000. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published January 3, 2001)

PS&RS & W&M/Budget - Your Committee, having accepted the Juvenile Prostitution Task Force grant award of \$150,000 from the Minnesota Department of Public Safety on November 9, 2000 to investigate juvenile prostitution in Minneapolis, now recommends passage of the accompanying Resolution appropriating \$150,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

**RESOLUTION 2000R-571
By Biernat and Campbell**

Amending the 2000 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-C007) by \$150,000 and increasing the Revenue Source (060-400-C007 - Source 3215) by \$150,000.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to submit a grant application to the Minnesota Department of Economic Security seeking \$607,818 under the Juvenile Accountability Incentive Block Grant, to be shared in partnership with Hennepin County, to continue support of the Criminal Justice Coordinating Committee, the Serious Habitual Offender Community Action Program, and JNET initiatives.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers of the Police Department be authorized to enter into a membership agreement for a fee of \$2,500 for calendar year 2001 to become a member of the Multiple Jurisdiction Network Organization, a computer network application operated by the Minnesota Chief's Association to facilitate the sharing of law enforcement information by member law enforcement agencies.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute an agreement with the Red Lake Band of Chippewa Indians and Officer Robert Thunder of the Minneapolis Police Department, pursuant to the Minnesota Interchange of Government Employees

Act, to loan Officer Thunder to the Tribe to act as Vice President of Security and Surveillance for a period of six months, not to exceed July 26, 2001, with all salary and benefit costs being reimbursed to the City.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #5545 (Petn No 266530) submitted by Trades Unlimited, for a two-year estimated expenditure of \$500,000, for furnishing and delivering all labor, supplies, equipment, vehicles, fees and incidentals necessary to accomplish rubbish and refuse removal as directed by the Department of Inspections, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said service.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW – Your Committee, to whom was referred an ordinance amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to *Sanitation: Garbage and Refuse*, amending definitions by adding townhouses as a residential building and establishing effective dates, and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that said ordinance be summarized for publication.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-133 amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to *Sanitation: Garbage and Refuse*, amending Sections 225.05 and 225.600 by amending definitions by adding townhouses as a residential building and establishing effective dates for including those units in the City solid waste system, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-133

By Colvin Roy

Intro & 1st Reading: 11/22/2000

Ref to: T&PW

2nd Reading: 12/29/2000

Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Sanitation: Garbage and Refuse.

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

Section 1. That Section 225.05 catch line of the above-entitled ordinance be amended and a new definition be added in alphabetical sequence to read as follows:

225.05. Definitions. As used in this article chapter:

Townhouse shall mean a building or structure which contains two (2) or more one (1) family dwelling units erected as part of a single building with the majority of the units within such building or structure having each of the following characteristics:

- (a) having as its principal entrance a door which opens to the outdoors;
- (b) having open space on at least two (2) sides of the unit; and
- (c) fee simple ownership of the individual dwelling area plus adjoining property, if any, as a separate property description.

A townhouse, for the purposes of this chapter, specifically includes buildings or structures that contain units that have common ownership of joint use areas whether inside or outside and/or parking facilities in addition to individual ownership of actual dwelling areas and includes buildings or structures that meet the foregoing requirements but are part of an association agreement or planned unit development.

Section 2. That Section 225.600 (a) and (b) of the above-entitled ordinance be amended, and a new subdivision (e) be added thereto, to read as follows:

225.600. When collection to be made by city. (a) The city engineer shall collect, remove and dispose of all contained solid waste from all residential buildings containing not more than four (4) dwelling units and from all townhouses as defined in this article chapter.

(b) The city engineer may grant exceptions to subsection (a) as follows:

- (1) To allow or require owners of buildings with more than four (4) dwelling units to use city solid waste collection in the same manner and with the same frequency as required under subsection (a).
- (2) To allow or require owners of buildings with not more than four (4) dwelling units and townhouses to use private solid waste collection instead of city collection.

Exceptions granted under this subsection shall be made on a case by case basis, and nothing herein shall require the city engineer to grant an exception. Exceptions may be originated by the city engineer or by application of the building owner.

(e) Paragraph (a) of this ordinance as it applies to townhouses shall apply to:

- (1) all townhouses that received any building permits for their original construction on or after February 28, 2001; and
- (2) all townhouses, regardless of when they received their building permits, on and after January 1, 2003, provided, however, that the city engineer may implement this section as to townhouses pursuant to a plan which is fully completed on or before December 31, 2003. In the event the city engineer makes such plan, each townhouse owner that is included shall be informed in writing of the date that they will become part of the city collection system. Such information shall be provided to them prior to January 1, 2003, and they shall become a part of the city collection system on the date so specified.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a recommendation from the Minneapolis Downtown Council regarding appointments to the Skyway Advisory Committee, now recommends that Kevin Fossum, General Manager of Equity Office Properties Trust be authorized to fill the unexpired term of Donna Moburg to expire on December 31, 2001.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the 43rd St and Park Av S Flood Mitigation Project and a staff recommendation to add street design work to the consulting contract for the project, now recommends that the proper City officers be authorized to increase the agreement with Bonestroo,

Rosene, Anderlik and Associates by \$20,000, for a new total not to exceed \$140,000, payable from the project budget (7300-600-6063).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Field Regina Area Street Lighting Project, now recommends passage of the accompanying resolution designating the location, streets and improvements proposed to be made in the project (Special Improvement of Existing Street No 2216).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-572

By Mead

**FIELD REGINA AREA STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2216**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by installing low level pedestrian scale street lights, along with high level lights at select locations, together with all the necessary appurtenances and work related thereto:

E 42nd St from 2nd Av S to Chicago Av S;

E 43rd St from 2nd Av S to Chicago Av S;

E 44th St from 2nd Av S to Chicago Av S;

E 45th St from 2nd Av S to Chicago Av S;

E 46th St from 2nd Av S to Chicago Av S;

E 47th St from 2nd Av S to Chicago Av S;

E 48th St from 2nd Av S to Chicago Av S;

E 49th St from 2nd Av S to Chicago Av S;

E 50th St from 2nd Av S to E Minnehaha Pkwy;

E 50th St from Park Av S to Chicago Av S;

E Minnehaha Pkwy (north side) from 2nd Av S to Park Av S;

2nd Av S from E Minnehaha Pkwy to E 42nd St;

3rd Av S from E Minnehaha Pkwy to E 42nd St;

Clinton Av S from E 50th St to E 44nd St;

4th Av S from E 50th St to E 42nd St;

5th Av S from E Minnehaha Pkwy to E 42nd St;

Portland Av S from E Minnehaha Pkwy to E 42nd St;

Oakland Av S from E Minnehaha Pkwy to E 42nd St;

Park Av S from E Minnehaha Pkwy to E 42nd St;

Columbus Av S from E Minnehaha Pkwy to E 42nd St;

Chicago Av S from E Minnehaha Pkwy to E 42nd St (excluding that section in the 4600 to 4800 block contained in the 48th & Chicago Special Service District).

Be It Further Resolved that the City Engineer be directed to proceed with the process to install street lighting in the Field and Regina neighborhoods in the designated area.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having received a cost estimate of \$4,150,000 for street lighting improvements and a list of benefited properties for the Field Regina Area Street Lighting Project, Special Improvement of Existing Street No. 226, as designated by Resolution 2000R-572, passed December 29, 2000, further recommends that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment in the amount of \$4,150,000 against the list of benefited properties by applying the street influence zone area method.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on February 8, 2001, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated street lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No 1270 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as Field Regina Area (streets to receive lighting are as designated in the Field Regina Area Street Lighting Project, Special Improvement of Existing Street No 2216).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district	15
Total assessable frontage in feet	122,400
Annual cost per foot	\$0.32

Your Committee recommends that if there should be an increase in the cost of street lighting in the future that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on February 8, 2001, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to be considered the establishment of said proposed Street Lighting District No 1270.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the Midtown Greenway Trail Project, Phase I, and having been informed that final construction work has resulted in some cost changes including an increase of \$28,307 required for safety and security features and an increase of \$47,138.09 for retaining wall costs, now recommends that the proper City officers be authorized to:

- a) Pay \$47,138.09 to the Minnesota Department of Transportation for cost additions to the Midtown Greenway Trail Project;
- b) Increase the contract with Collisys (#14148) by \$28,307, for a new total of \$553,421, for additional safety and security costs;

c) Extend the contract period to May 1, 2001 to allow for final project work efforts and cleanup. Funds are payable from the project contingency available in the Bicycle Commuter Route System Capital Program (4100-943-9470).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW—Your Committee, having under consideration the Water Works Pump Station No. 9 project and having been informed that the scope of the project has increased in size and complexity, now recommends that the proper City officers be authorized to execute an amendment to the contract with Wunderlich-Malec Engineering for electrical engineering and heating, ventilating and air conditioning services, increasing the contract by \$15,330, for a new total of \$64,695, payable from the capital budget for the project.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW—Your Committee recommends that the proper City officers be authorized to transfer the City's existing contract with SKB, Inc. (#C96-10735) to the company's new owner, NRG and extend the contract to no later than March 31, 2001. The contract provides for the composting and disposal of City yard wastes and the current payment structure shall remain in place.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW—Your Committee, having received the recommendations of the Minneapolis Downtown Council regarding appointments/reappointments to the Nicollet Mall Advisory Board, now recommends approval of the following appointees to serve two-year terms, commencing on January 1, 2001:

Edward Baker, Chairman, Baker Properties Partnership;

Robert Barr, Director of Events and Facilities, Minnesota Orchestral Association (nonprofit representative);

David Chad, Facilities Area Leader, Xcel Energy;

Thomas Clairmont, Vice President of Operations, Brookfield Properties;

Robert Greenberg, President, The 614 Company;

Karl Reichert, 1200 on The Mall (residential representative);

Nancy Hite, Executive Director, Minneapolis YWCA (nonprofit representative);

John Kelly, Vice President, Property Management, Ryan Companies;

Thomas Mason, General Manager, Hyatt Regency Hotel and Hyatt Whitney Hotel;

Wade Opland, Store Manager, Dayton's, Target Corporation;

Winifred Smith, Senior Vice President, ING ReliaStar;

David Sternberg, Managing Director, Midwest, RREEF, Inc.

Ex Officio Members (non-voting)

Vicki Allred, designee of the Public Works Finance Director;

Brian Lokkesmoe, designee of the City Engineer.

Your Committee further clarifies that two alternates to the residential representative position shall be added to the official roster for the Nicollet Mall Advisory Board.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW—Your Committee, having under consideration the Cedar Lake Parkway Bridge Reconstruction Project and having been informed that parking restrictions will be required to meet Minnesota Department of Transportation standards and maintain the project's eligibility for State funding, now recommends passage of the accompanying Ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, establishing the required parking restrictions.

Your Committee further recommends that said ordinance be summarized for publication.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-134 amending Title 11, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, amending Section 478.560 by adding and amending parking restrictions related to the Cedar Lake Parkway Bridge Reconstruction Project, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-134
By Mead
1st & 2nd Readings: 12/29/2000

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

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

Section 1. That Section 478.560 of the above-entitled ordinance be amended by adding thereto the following No Parking Zone:

No. 6771 - Both sides of Ewing Av S between the limits of W Franklin Av and Cedar Lake Road (No Parking Anytime).

Section 2. That Section 478.590 of the above-entitled ordinance be amended to change the following No Parking Zone to read:

No. 4470 - ~~Southeasterly side~~ Both sides of Cedar Lake Road (~~Ewing Av S~~) between the limits of ~~Drew Av S~~ Ewing Av S and Cedar Lake Boulevard (No Parking Anytime).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW—Your Committee, having received a report from the Public Works Transportation Division reviewing the Minnesota Department of Transportation's (MnDOT) Metro Division Transportation System Plan (TSP) including staff's proposed comments on the plan, now recommends that the proper City officers be authorized to submit the City's comments on the TSP (in the form of a letter contained in Petn No 266533) to MnDOT before December 28, 2000. It is further recommended that since City Council action on the comments cannot be finalized until December 29, 2000, staff be directed to inform MnDOT that the City may submit additional comments after final Council action and Mayoral consideration.

Mead moved to amend the report by adding the following final paragraph:

"The City Council's support of the Highway 62 Project is based on MnDOT's representation that this project does not include the addition of through lanes. The types of improvements that might be expected include pavement reconstruction, bridge replacement, interchange and/or intersection improvements, safety improvements, ITS improvements, and transit support facility improvements." Seconded.

Adopted upon a voice vote.
The report, as amended, was adopted.
Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having received a report on the proposed design of the Hiawatha Corridor Light Rail Transit (LRT) Yards and Shops Maintenance Facility, a building that will be located on a 13 acre site bounded by Franklin Avenue, Old Cedar Avenue, Highway 55 and 15th Avenue South in the Cedar Riverside neighborhood and that will be used for maintenance, cleaning and storage of the LRT fleet as well as office space for the rail operations, now recommends that conceptual approval be granted to the architectural design proposed in Petn No 266533.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration a multi-city effort for a redevelopment strategy for Highway 81 in the Northwest Corridor, now recommends passage of the accompanying resolutions:

- a) Supporting the creation of the Northwest Corridor Community Works Partnership as a public/private collaboration to guide the redevelopment of the Highway 81 corridor and its connecting links; and
- b) Supporting a dedicated busway in the Northwest Corridor.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-573

By Johnson

Supporting the creation of the Northwest Corridor Community Works Partnership as a public/private collaboration to guide the redevelopment of the Highway 81 corridor and its connecting links.

Whereas, County Road 81, a major thoroughfare running through six cities in northern Hennepin County, has been underutilized for many years; and

Whereas, the redevelopment potential of Highway 81 offers the opportunity for a variety of initiatives that must be integrated in an overarching approach in order to enhance the Highway 81 corridor as a thriving corridor that supports the community fabric and links to the surrounding region; and

Whereas, a well orchestrated, comprehensive and integrated strategy is needed to marshal resources, influence policy, and cause the implementation of linked projects that have a visible impact and result in a positive redevelopment environment; and

Whereas, Hennepin County and the Cities of Robbinsdale, Crystal, Brooklyn Park, Maple Grove, Osseo and Minneapolis and private for- and non-profit enterprises with significant business activities within the corridor are committed to enhancing their communities and investing in infrastructure, public works, parks, and the natural environment; and

Whereas, these entities wish to develop and implement a unifying vision and strategy that builds on the assets of the Highway 81 corridor to ensure the stability and enhancement of adjacent neighborhoods and spur new economic development; and

Whereas, in order to realize the potential of the Highway 81 corridor to increase property values and tax base through attracting private investment for redevelopment through this corridor and its connecting links, a public/private partnership is needed to facilitate private investment, coordinate public commitments and facilitate citizen involvement;

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

That the City of Minneapolis supports the creation of the Northwest Corridor Community Works Partnership as a public/private collaboration to guide the redevelopment of the Highway 81 corridor and its connecting links, as follows:

1. **Composition**

The Northwest Corridor Community Works Partnership will be composed of no less than ten (10) and no more than sixteen (16) members, as follows:

- The Mayors of the Cities of Robbinsdale, Crystal, New Hope, Brooklyn Park, Osseo, and Maple Grove;
- Executive Director, North Metro Mayors Association;
- One member of the Hennepin County Board of Commissioners;
- One member of the Minneapolis City Council;
- The Chair (*or other member*) of the Metropolitan Council;
- Scott R. Anderson, President and CEO, North Memorial Hospital;
- Greg Pulles, Vice Chair and General Counsel, TCF;
- Peter Scherer, President, Scherer Brothers Company;
- Ann Wynia, President, North Hennepin Community College; and
- such other representatives as the Partnership may select.

2. **Charge**

The Northwest Corridor Community Works Partnership will be established for the following purposes:

- a. to provide business leadership, public commitment, and citizen involvement in the redevelopment of the Highway 81 corridor, guiding the development of a Corridor Master Plan, and building on existing plans that have community support;
- b. to identify demonstration projects that enhance economic vitality, improve corridor connections to local and regional transit, further policies and strategies established in the Metropolitan Council's Regional Blueprint, and strengthen the public realm; and
- c. to marshal the resources and development tools necessary to implement these projects, and provide a forum to coordinate the responsibilities of the public and private partners responsible for the redevelopment activities in the corridor.

3. **Legal Authority**

It is understood that the decisions and activities of the Northwest Corridor Community Works Partnership are advisory only, and will not have any binding legal authority on any of the Partnership's members. The parties to the Partnership expect that recommendations developed and approved by the Partnership will be duly considered and acted upon as necessary by the governing body of the respective Partnership members.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-574

By Johnson

Supporting A Dedicated Busway in the Northwest Corridor

Whereas, the Northwest Corridor (County Road 81) provides an excellent opportunity for a dedicated busway connecting downtown Minneapolis, Robbinsdale, Crystal, Brooklyn Park, Osseo, and Maple Grove; and

Whereas, local public officials and private business leaders have formed the Northwest Corridor Partnership to facilitate investment and development in the Northwest Corridor; the Corridor Partners now include Target, North Memorial Medical Center, TCF, North Hennepin Community College, Scherer Brothers Lumber Co., Wells Fargo, the Metropolitan Council, Hennepin County, North Metro Mayors Association, and the cities of Robbinsdale, Crystal, Brooklyn Park, Osseo and Maple Grove; and the City of Minneapolis has also been invited to join the Partnership; and

Whereas, at the request of the Northwest Corridor Partnership, the Metropolitan Council has identified the Northwest Corridor as one of three corridors for dedicated busway development in the Twin Cities Metropolitan Region, and on October 25, 2000, allocated \$2.1 million for planning and design of a busway in the Northwest Corridor; and

Whereas, the Northwest Corridor Partnership has identified five possible viable busway alignments that would involve utilizing a hybrid combination of rail and public road right-of-way including but not limited to:

- Use of the railroad right-of-way in the northern section and then exit the railroad corridor at Lowry Avenue (County Road 153) or West Broadway (County Road 81/66) and then, using the public right-of-way, continue east to a point in north Minneapolis where public roads could be used to head south to downtown Minneapolis;
- Leave the railroad corridor at I-94 where buses would travel east and then south into downtown Minneapolis;
- Use the railroad corridor to the Hubbard Transit Hub in Robbinsdale where, after accommodating transfers, the buses would enter southbound T.H. 100 and then use I-394 in getting to downtown Minneapolis;
- Exit the rail line at County Road 9 (42nd Avenue) in Robbinsdale and then travel east to I-94 and then south to downtown Minneapolis; or
- Provide HOV and/or bus-only lanes within County Roads 81 and I-94 rights-of-way;

Whereas, the Metropolitan Council has required that in order for the planning and design of a busway to proceed with Metropolitan Council funding, the affected local units of government in the Northwest Corridor must express their support for a dedicated busway;

Whereas, the Minneapolis City Council desires that the Northwest Corridor Partnership continue to provide the leadership to plan and design a dedicated busway in this Corridor, assist in planning for the future of County Road 81, and assist in planning the future of land use in the Northwest Corridor;

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

That the Minneapolis City Council hereby declares its support for the development of a dedicated busway in the Northwest Corridor.

Be It Further Resolved that the Minneapolis City Council requests that the planning and design of the Northwest Corridor busway be carefully integrated with the planning of improvements to County Road 81 and the development of a Corridor Master Plan to guide future land use and investments in the Corridor, and to the extent permissible, with other possible transit options;

Be It Further Resolved that the Minneapolis City Council requests that the Metropolitan Council work in collaboration with the Northwest Corridor Partnership and its members in the planning and design of the Northwest Corridor busway project.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having considered the special assessment deferment applications submitted by the hereinafter mentioned persons to defer special assessments for payable 2001 and subsequent years, now recommends that the applications be approved as provided for in Minnesota Statutes, Sections 435.193 to 435.195 and Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993:

a. Sharon Kras, (Disability Retirement), sidewalk (Levy 01052) in the principal amount of \$2,504.81, 2030 Russell Av N, PID 17-029-24-14-0067;

b. Edward Turek, (Senior Citizen), water service line repair (Levy 01028) in the principal amount of \$4,785.00, 317 17th Av NE, PID 14-029-24-22-0015;

c. Josephyne Stewart, (Senior Citizen), sidewalk (Levy 01052) in the principal amount of \$491.48 and tree removal (Levy 01084) in the principal amount of \$1,296.90, 1501 Thomas Av N, PID 17-029-24-43-0161.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

T&PW & W&M/Budget - Your Committee, having under consideration the Riverview Area Street Lighting Project (E 38th St and 42nd Av S), Special Improvement of Existing Street No 2215, now recommends passage of the accompanying Resolutions:

- a. Ordering the work to proceed and adopting the special assessments for the Riverview Area Street Lighting Project;
- b. Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$43,000 for the project with the bonds to be paid for from special assessments; and
- c. Increasing the Public Works - Transportation Street Lighting Capital Agency by \$64,000 for the project, to be reimbursed by special assessments and Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-575
By Mead and Campbell

RIVERVIEW AREA STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 2215

Ordering the work to proceed and adopting the special assessments for the Riverview Area Street Lighting Project.

Whereas, a public hearing was held on December 21, 2000 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2000R-510 passed November 9, 2000, to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2000R-510 passed November 9, 2000.

Be It Further Resolved that the proposed special assessments as on file in the Office of the City Clerk be \$43,000.00 and are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-576

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$43,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street lighting improvements in the Riverview Area Street Lighting Project, Special Improvement of Existing Street No 2215, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-577

By Mead & Campbell

Amending the 2000 Capital Improvement Appropriation Resolution

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW-Transportation-Street Lighting Capital Agency in the Permanent Improvement Projects Fund (4100-943-9432) by \$64,000 for the Riverview Area Street Lighting Project, to be reimbursed by special assessments in the amount of \$43,000 (4100-943-9432-3880) and NRP in the amount of \$21,000 (4100-943-9432-3845).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee reports that in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to street lighting districts, a public hearing was held on December 21, 2000 to consider the establishment of Street Lighting District No 1269 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No 1269 (streets to receive lighting are as designated in the Riverview Area Street Lighting Project, Special Improvement of Existing Street No 2215) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on November 9, 2000 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No 1269 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a proposal from Village Green Residential Properties, Inc. to develop the City-owned property at 714 W Lake St (Aldrich Municipal Parking Lot) to include residential units, a parking ramp (of which one level will be publicly owned) and retail space and, having held a public hearing thereon, now recommends passage of the accompanying resolution authorizing the sale of said property at 714 W Lake Street and execution of a development agreement.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-578
By Mead & Campbell

Authorizing execution of a development agreement and all related documents relating to the sale of City property at 714 West Lake Street (Aldrich Municipal Parking Lot)

Whereas, the City owns land at 714 W Lake St, which is known as the Aldrich Municipal Parking Lot; and

Whereas, the City Engineer has determined that this parcel is not needed for City purposes except for one level of municipal parking within a parking structure; and

Whereas, Village Green Residential Properties, Inc. has offered to enter into a development agreement with the City, agreeing to pay the City a minimum of \$15 per square foot and construct one level parking within a parking structure that will be owned by the City; and

Whereas, the City Assessor has determined this transaction price to be fair market value and has reported this to the City Council; and

Whereas, the Planning Commission approved the sale on December 14, 2000 as being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee on December 20, 2000, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

Now, Therefore, Be It Resolved that the proper City officers be authorized to execute a development agreement and all related documents for the land legally described as:

Lots 7 to 11 inclusive and south 25' of Lot 12 Block 32, also that part of north 20' of said Lot 12 and of Lot 7 Block 17 described as beginning at southeast corner of north 20' of said Lot 12 then west along south line thereof 62.23 feet then northeasterly to a point on east line of said Lot 7 a distance of 51.9 feet north from southeast corner of north 20 ft of said Lot 12 then south to beginning, Windom's Addition to Minneapolis, Hennepin County, Minnesota.

Property Identification Number 33-029-24-44-0140, and as more fully described in Petn No 266537 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration plans for reconstruction of a portion of County State Aid Highway 66, Golden Valley Road, from Xerxes Av N to Girard Av N and thence Girard Av N from Golden Valley Road to W Broadway, a project that will be done in conjunction with Hennepin County, now recommends:

a. That the proper City officers be authorized to execute Agreement No. PW 07-20-99 with Hennepin County for the reconstruction of Golden Valley Road, with said agreement to include an estimated payment of \$899,192.83 to Hennepin County from the City (payable from 4100-937-9372) to be recovered from Municipal State Aid (MSA) in the amount of \$484,147.21, Net Debt Bond funds in the amount of \$89,980 and assessments in the amount of \$325,065.62; and

b. Passage of the accompanying resolution increasing the Public Works - Streets and Malls Capital Agency appropriation by \$50,000 for the Golden Valley Road reconstruction project to be recovered from Hennepin County.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.
Approved December 29, 2000. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published January 3, 2001)

RESOLUTION 2000R-579
By Mead and Campbell

Amending the 2000 Capital Improvement Appropriation Resolution

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW - Streets & Malls Capital Agency in the Permanent Improvement Projects Fund by (4100-937-9372) by \$50,000 for the Golden Valley Road Reconstruction Project, to be recovered from Hennepin County for the City Force Account Work on the project.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved December 29, 2000. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published January 3, 2001; Republished _____)

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 266538):

a) OP #5532, low bid submitted by Xcel Energy in the amount of \$83,950 for furnishing and delivering all labor, materials, equipment and incidentals necessary to complete transformer replacement for the Public Works Water Department;

b) OP #5540, low bid of Avon AG-Lime for an estimated annual expenditure of \$600,000 for furnishing all labor, materials, equipment, vehicles and incidentals necessary to load, haul and proper disposal of lime waste for the Public Works Water Department as needed through December 31, 2001; and

c) OP #5541, low bid of Meridian Aggregate Company for an estimated expenditure of \$114,660 for furnishing and delivering fine aggregate to the Public Works Street Department.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **ZONING & PLANNING** Committees submitted the following report:

T&PW & Z&P - Your Committee, having under consideration the Northstar Commuter Rail Project and having received a presentation regarding the proposed location of a Northeast Minneapolis station and the Draft Environmental Impact Statement for the Northstar Commuter Rail Project, now recommends:

a. Passage of the accompanying resolution supporting a station location at 7th Street NE subject to further environmental review and that said resolution be submitted to the Northstar Corridor Development Authority by the January 2001 deadline; and

b. That the staff comments set forth in Petn No 266539 be approved and that the proper City officers be authorized to communicate to the Minnesota Department of Transportation (MnDOT) the City's final comments on the Northstar Corridor Draft Environmental Impact Statement (as contained in Petn No 266539) by the January 2001 deadline.

Your Committee further recommends that said resolution be summarized for publication.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Biernat, Niland, Goodman, Colvin Roy, Mead, Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Cherryhomes.

Nays - McDonald.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2000R-580, supporting a Northeast Minneapolis Commuter Rail Station at 7th Street Northeast subject to further environmental review, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-580

By Ostrow

In Support of Northeast Minneapolis Commuter Rail Station at 7th Street Northeast Subject to Further Environmental Review.

Whereas, the City fully supports the development of commuter rail and other forms of dedicated transit ways to enhance travel alternatives for Minneapolis and regional residents and workers; and

Whereas, the City supports and encourages the efforts of the Northstar Corridor Development Authority (NCDA) to support land use planning that encourages transit use along the Northstar Corridor; and

Whereas, the City previously approved Northstar Commuter Rail serving both Downtown Minneapolis and Northeast Minneapolis with commuter rail stations; and

Whereas, the City previously approved the site location of the Downtown Minneapolis station conditioned upon specific planning and technical work and coordination with parties including the NCDA, the Hiawatha (LRT) Project Office, Hennepin County, and Metro Transit; and

Whereas, the City previously approved a Northstar Northeast Station conditioned upon further technical and planning consideration of a 7th Street NE alternative to the Central/Broadway station site; and

Whereas, the NCDA and the City held additional community meetings regarding the Northstar Northeast Station to discuss the 7th Street NE alternative to the Central/Broadway station site; and

Whereas, NCDA staff, technical consultants BRW/URS, and staff from the City of Minneapolis Planning and Public Works Departments recommend the 7th Street NE station alternative as technically feasible and superior to the Central/Broadway station site in terms of land use, urban design, and ability to attract ridership and support adjacent transit-oriented development;

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

That the City approves the site location of the Northeast Minneapolis station at 7th Street NE subject to the finding of the supplemental information document and impact analysis concerning the 7th Street NE station site.

Be It Further Resolved that the City approves the site location of the Northeast Minneapolis station at 7th Street NE subject to the provision of a 30-day review and public comment period regarding the findings of the supplemental information document prior to finalization of the Final Environmental Impact Statement.

Be It Further Resolved that the City approves the site location of the Northeast Minneapolis station at 7th Street NE conditioned upon specific planning and technical work, and coordination with parties including the NCDA and Metro Transit, that relates to the following issues with the 7th Street NE and Downtown state sites:

- Identification of measures to address parking, noise, landscape, and other issues raised at the community meetings related to the station areas;
- Further development of the station site and surrounding land uses;

- Vehicle circulation to and from the station;
- Interconnection with bus transit;
- Pedestrian connections to/from area streets;
- Bicycle connection and access near the station area;
- Identification of future land uses at or near the station, as well as design guidelines, as a result of station area master planning work.

Be It Further Resolved that the City approves the Northstar Corridor Advanced Corridor Plan, subject to the above statements and to future review and approval of specific station designs by the Minneapolis Planning Commission and the Minneapolis City Council.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Biernat, Niland, Goodman, Colvin Roy, Mead, Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Cherryhomes.

Nays - McDonald.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

W&M/Budget - Your Committee, having under consideration vendors of professional services to the Information and Technology Services (ITS) Department of the City, now recommends that the proper City officers of ITS be authorized to:

1) Use the Request for Proposals (RFP) process followed by the State of Minnesota, in conjunction with the City's contractual terms and administrative processes and procedures, to develop new Master ITS contracts;

2) Use the State IT Project vendor list and the City's Staff Augmentation vendor list; and

3) Execute amendments to the following contracts, extending said contracts through March 31, 2001, with costs to be payable from the Strategic Information Systems Projects (SISP) Agency in the Permanent Improvement Projects Fund (4100-972-A880) and the ITS Agency in the Intergovernmental Services Fund (6400-880-8845):

a) Contract #12414 with Labyrinth;

b) Contract #12319 with Management Systems Solutions (MSS); and

c) Contract #12401 with On-Demand Group, Inc.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that, upon the resignation of Patrick Foslien, the City Attorney shall be directed to withdraw and dismiss the appeal of the findings by the City in the Foslien Veterans' Hearing.

Your Committee further recommends full, final, and complete settlement of all Patrick Foslien's workers' compensation claims, with a total payment of \$113,050, payable from the Liability Agency in the Self Insurance Fund (6900-150-1500-6640), as follows:

a) Payment of \$100,050 to Patrick Foslien and his attorney, Dean Margolis; and

b) Payment of \$13,000 in attorney's fees and litigation costs to Dean Margolis.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends full, final and complete settlement in the workers' compensation matter of Thomas Gihl vs. City of Minneapolis, providing for a total payment of \$47,200, payable from the Liability Agency in the Self Insurance Fund (6900-150-1500-6070), as follows:

a) Payment of \$38,000 to Thomas Gihl and his attorney, David Izek; and

b) Payment of \$9,200 to David Izek for attorney's fees.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends full, final and complete settlement in the workers' compensation matter of the City of Minneapolis vs. Grant Johnson/Jim Johnson, providing for a total payment of \$89,000, as follows:

a) Acceptance of funds by the City, in the amount of \$89,000, into the Workers' Compensation Agency in the Self Insurance Fund (6900-145-1451-6750); and

b) Payment to Candice Hektner for attorney's fees and costs, in the amount of \$22,983.75, payable from the Workers' Compensation Agency in the Self Insurance Fund (6900-145-1451-6750).

Your Committee further recommends passage of the accompanying resolution increasing the Workers' Compensation Agency appropriation and revenue estimate by \$89,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-581

By Campbell

Amending The 2000 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 Workers' Compensation Agency in the Self Insurance Fund (6900-145-1451-6750) by \$89,000, and increasing the Workers' Compensation Agency revenue estimate in the Self Insurance Fund (6900-145-1451-6750-Source 3755-02) by \$89,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #11784 with Teleport Minnesota, a business unit of Group W Network Services, for a change of ownership to Liberty Livewire Corporation and GWNS Acquisition Sub, Inc (collectively known as, "Liberty"), and providing for Liberty to perform all obligations contained in said contract relating to provision of satellite uplink/downlink services to users of the Convention Center.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #2 to Contract #15156 with Kellington Construction, Inc, for additional work required on the Convention Center Expansion Project, increasing said contract by \$48,973, for a new contract total of \$17,889,281, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved December 29, 2000. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published January 3, 2001)

W&M/Budget - Your Committee recommends concurrence with the Advisory Panel of the Neighborhood Arts Program for their recommendation to provide Round 20 funding to 21 arts and community organizations for arts projects and programs, for a total funding amount of \$37,500, with \$20,000 to be payable from the City Coordinator Agency in the General Fund (0100-840-8450) and \$17,500 to be payable from the City Coordinator Agency in the Grants - Other Fund (0600-840-8450), as more fully set forth in Petn No 266546 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration the Minneapolis Empowerment Zone Commercial Corridor Initiative, now recommends concurrence with the Permanent Review Committee in their recommendation to authorize the proper City officers to issue a Request for Proposals (RFP) for revitalization of the following priority commercial corridors of the City: a) Lake Street; b) Franklin Avenue; c) West Broadway, and d) Central Avenue NE.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved December 29, 2000. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published January 3, 2001)

W&M/Budget - Your Committee recommends acceptance of a \$5,000,000 grant amendment from the United States Department of Housing and Urban Development (HUD) for Fiscal Year 2001 funding of the Minneapolis Empowerment Zone.

Your Committee further recommends passage of the accompanying resolution increasing the City Coordinator Agency appropriation and revenue estimate by \$5,000,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2000R-582

By Campbell

Amending The 2000 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 City Coordinator Agency in the Federal Grants Fund (0300-840-8460) by \$5,000,000, and increasing the City Coordinator Agency and revenue estimate in the Federal Grants Fund (0300-840-8460-3210) by \$5,000,000.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of the only bid received on OP #5555 (Petr No 266550), submitted by Finance and Commerce, in the amount of \$180,000, for furnishing publication of Council proceedings, ordinances, resolutions, proposals and related matters for various departments and boards, for a two-year period ending December 31, 2002, all in accordance with City specifications.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to increase the points assigned to the position of Supervisor, Meter Service Workers from 345 to 365, based on studies conducted by the Human Resources Department, and to authorize payment of back pay, to be retroactively effective September 15, 2000.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said increase.

Your Committee further recommends that summary publication of the above-described ordinance be authorized.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-135, amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Supervisor, Meter Service Workers, based on studies conducted by the Department of Human Resources, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-135
By Campbell
1st & 2nd Readings: 12/29/2000

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: September 15, 2000

FLSA	OTC	CLASSIFICATION	G	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Supervisor Meter Service Workers	8	B	1446	1461	1522	1654	1743	1834	1937

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to reclassify the position of Sanitarian I and II to Code Compliance Officer I - Environmental and Code Compliance Officer II - Environmental, to be retroactively effective January 27, 2000, and to authorize back pay, in accordance with union contract provisions.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said reclassification.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-136, amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Code Compliance Officer I - Environmental and Code Compliance Officer II - Environmental, based on studies conducted by the Department of Human Resources, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-136
By Campbell
1st & 2nd Readings: 12/29/2000

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Minneapolis Professional Employee's Association (MPEA) (1999 rates)
Effective: January 27, 2000

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Code Compliance Officer I										
		-Environmental	330	7	H	15.538	16.738	18.763	19.863	20.850	21.950	22.500
N	3	Code Compliance Officer II										
		-Environmental	398	8	H	18.775	19.700	20.675	21.700	22.788	23.963	25.150

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to reclassify the position of Sanitarian III in Environmental Health to Assistant Manager, Environmental Health, to be retroactively effective January 27, 2000, and to authorize back pay, in accordance with union contract provisions.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said reclassification.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-137, amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Assistant Manager, Environmental Health, based on studies conducted by the Department of Human Resources, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2000-Or-137
By Campbell
1st & 2nd Readings: 12/29/2000

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)
Effective: January 27, 2000

FLSA	OTC	CLASSIFICATION	G	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
E	4	Assistant Manager Environmental Health	9	B	1711	1838	1935	2033	2141	2252	2367

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends amending Ordinance No. 2000-Or-119, passed by Council action of November 22, 2000, to provide for formula adjustments for the positions of Chief Information Officer and Director, Information and Technology Services.

Your Committee further recommends passage of the accompanying Salary Ordinance reflecting said formula adjustments.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-138, amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, providing for formula adjustments for the Chief Information Officer position and for the Director, Information and Technology Services position, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2000-Or-138
By Campbell
1st & 2nd Readings: 12/29/2000**

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: January 1, 2001**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A	Step B	Step C	Step D
						Start rate	After 1	After 2	After 3
						"A" Years	"B" Years	"C" Years	
E	1	Chief Information Officer	775	17	A	\$110,050	\$115,843	\$119,318	\$121,635
E	1	Director, ITS	638	14	A	\$95,886	\$100,932	\$103,960	\$105,979

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: January 1, 2002**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A	Step B	Step C	Step D
						Start rate	After 1	After 2	After 3
						"A" Years	"B" Years	"C" Years	
E	1	Chief Information Officer	775	17	A	\$113,627	\$119,607	\$123,196	\$125,588
E	1	Director, ITS	638	14	A	\$99,002	\$104,213	\$107,339	\$109,423

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the following newly appointed positions, to be effective January 1, 2001:

- a) Director, Employee Services (using the existing allocation for the Director, Employer/Employee Services position);
- b) Director, Employment Services (using the existing allocation for the Director, Affirmative Action and Staffing position); and
- c) Director, Enterprise Services (using the existing allocation for the Human Resources Principal Consultant - Management Development and Training position).

Your Committee further recommends passage of the accompanying Salary Ordinance providing for said newly appointed positions.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2000-Or-139, amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the newly appointed positions of Director, Employee Services; Director, Employment Services; and Director, Enterprise Services, was passed December 29, 2000 by the City Council and approved January 4, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2000-Or-139
By Campbell
1st & 2nd Readings: 12/29/2000**

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: January 1, 2001**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Employee Services	680	15	A	\$87,834	\$92,457	\$95,230	\$97,080
E	1	Director, Employment Services	630	13	A	\$81,251	\$85,527	\$88,093	\$89,803
E	1	Director, Enterprise Systems	608	13	A	\$78,354	\$82,478	\$84,952	\$86,602

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**APPOINTED OFFICIALS (CAP)
Effective: January 1, 2002**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Employee Services	680	15	A	\$90,689	\$95,462	\$98,325	\$100,235
E	1	Director, Employment Services	630	13	A	\$83,891	\$88,307	\$90,956	\$92,722
E	1	Director, Enterprise Systems	608	13	A	\$80,901	\$85,159	\$87,713	\$89,417

Adopted. Yeas, 13; Nays none.
Passed December 29, 2000. J. Cherryhomes, President of Council.
Approved January 4, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

Z&P - Your Committee recommends granting the application of Thomas Hegranes and Leslie L Leik, for a special permit to obtain a building permit to begin interior/exterior demolition in preparation for framing construction, pending approval of an expansion of non-conforming use at 3408 Irving Av S, notwithstanding the Zoning Code, on condition that the applicant must undo the work if the nonconforming expansion is not approved (#2000-219).

Adopted. Yeas, 12; Nays none.
Declining to Vote - Lane.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor
Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of Leaning Tower of Pizza, 2515 University Av SE, for a special permit to allow liquor and restaurant licenses to be issued pending rezoning approval, notwithstanding the Zoning Code, on condition that the applicant must meet all applicable requirements and go through the processes for said licenses, and that if rezoning is not approved, applicant must conform to the current zoning restrictions (#2000-222).

Adopted. Yeas, 12; Nays none.
Declining to Vote - Lane.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor
Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of Vance Gellert on behalf of Parts Photographic Arts Inc, 711 W Lake St, for a special permit to extend the permit for banners promoting an exhibition on Calhoun Arts Building to December 22, 2000, notwithstanding the Zoning Code, on condition that there will be no renewal after December 22 (#2000-210).

Adopted. Yeas, 12; Nays none.
Declining to Vote - Lane.
Passed December 29, 2000.
Approved January 4, 2001 S. Sayles Belton, Mayor
Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of Frances Kane on behalf of City of Lakes Waldorf School, 2344 Nicollet Av S, for a special permit to complete classroom construction for Watershed High School and to occupy those classrooms for student instruction prior to approval of a rezoning petition requested by City zoning administration for an adjacent parking lot located to the west of the existing building, notwithstanding the Zoning Code (#2000-221).

Adopted. Yeas, 12; Nays none.
Declining to Vote - Lane.
Passed December 29, 2000.
Approved January 4, 2001. S. Sayles Belton, Mayor
Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the Preliminary and Final Registered Land Survey Application submitted by GLM, LLC which would provide for the vertical subdivision of the existing LaSalle Court facility at 801-811 LaSalle Avenue (RLS-10), and having conducted a public hearing thereon, now recommends adoption of the required findings set forth in Petn No 266552 and approval of said application.

Your Committee further recommends passage of the accompanying resolution approving Registered Land Survey for 801-811 LaSalle Av S, and summary publication of said resolution.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved December 29, 2000. S. Sayles Belton, Mayor

Attest: S. Ristuben, Asst City Clerk.

(Published January 3, 2001)

Resolution 2000R-583, Approving Registered Land Survey for 801-811 LaSalle Avenue South, was passed December 29, 2000 by the City Council and approved December 29, 2000 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2000R-583

By McDonald

Approving Registered Land Survey for 801-811 LaSalle Avenue South.

Whereas, the City of Minneapolis has authority to review and approve all plats of land located within the City of Minneapolis, and, by resolution, to certify approval thereof; and

Whereas, a Registered Land Survey is required to be processed in the same manner as a Subdivision plat; and

Whereas, Registered Land Survey No. (as yet unnumbered) was on December 29, 2000 duly submitted to the Minneapolis City Council and after review and study thereof, was found to meet all requirements of law relating thereto, including all applicable Minnesota Statutes and the Minneapolis Platting Regulations, and is therefore entitled to be recorded with the Registrar of Titles of Hennepin County, Minnesota; and

Whereas, by Laws of 1965, Chapter 670, effective January 1, 1966, it is required that a resolution from the municipality in which the land is located accompany any plat to entitle same to be recorded or filed;

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

That Registered Land Survey in the vicinity of 801-811 LaSalle Avenue described as:

Tract A, Tract B and Tract C, Registered Land Survey No 1626, according to the map thereof on file and of record in the office of the Registrar of Titles was on December 29, 2000 duly submitted to the Minneapolis City Council and after review and study thereof was found to meet all requirements of law relating thereto, including all applicable Minnesota Statutes and the Minneapolis Platting Regulations, meets the requirements of Laws of 1965, Chapter 670, effective January 1, 1966, and said plat is therefore entitled to be recorded forthwith with the Registrar of Titles of Hennepin County, Minnesota.

Approval of the registered land survey is conditioned upon development of all land within the plat in accordance with the development plan set forth in Petn No 266552 and submitted to and approved by the City Council in conjunction with the Registered Land Survey on December 29, 2000.

A certified copy of this resolution may be submitted with said plat to the Registrar of Titles of Hennepin County, Minnesota for recording as provided by law.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000. J. Cherryhomes, President of Council.

Approved December 29, 2000. S. Sayles Belton, Mayor

Attest: S. Ristuben, Asst City Clerk.

UNFINISHED BUSINESS

Tires for Less (3011 3rd Av S): Revoke Motor Vehicle Repair Garage License, due to non-compliance with site plan and conditional use permits. (Postponed 12/17/99, PS&RS)

Herron moved to continue postponement. Seconded.

Adopted upon a voice vote.

Auto Care Inc (5000 34th Av S): Revoke Motor Vehicle Repair Garage License for failure to complete the site plan review process. (Postponed 9/29/2000, PS&RS)

Colvin Roy moved to continue postponement. Seconded.

Adopted upon a voice vote.

CUP Foods (3759 Chicago Av S): a) Adopt Report of Administrative Law Judge, with correction; b) Deny licensee's objections and petition for rehearing; c) Revoke all licenses to be stayed on condition that licensee close business for six months, and upon reopening, comply with conditions; 90 days of closure shall be waived upon payment of a \$10,000 administrative fine; d) In event of appeal by licensee, stay action until final decision on appeal. (Postponed 11/9/2000, PS&RS)

PS&RS – Your Committee, having under consideration the Grocery, Tobacco, Off-Sale Beer and Food Manufacturer Licenses held by CUP Foods, 3759 Chicago Avenue South, and an Administrative Hearing having been held before an Administrative Law Judge who has issued Findings of Fact, Conclusions of Law and a Recommendation that the City Council take adverse action against the licenses held by CUP Foods, now recommends the following:

a. Adoption of the Report of the Administrative Law Judge, except that the Findings of Fact, Paragraph 26, be amended to reflect a time of 9:00 p.m. instead of 9:00 a.m.

b. Denial of the licensee's objections and petition for rehearing.

c. Revocation of all licenses held by CUP Foods, to be stayed on the condition that the licensee close the business for six months, and upon reopening, comply with all conditions as listed in Appendix A contained in Petn No 266396 on file in the Office of the City Clerk; 90 days of the closure shall be waived upon payment of a \$10,000 administrative fine.

d. In the event of an appeal by the licensee, this action shall be stayed until final decision on appeal.

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

Adopted upon a voice vote.

PS&RS – Your Committee, having under consideration the Grocery, Tobacco, Off-Sale Beer and Food Manufacturer Licenses held by CUP Foods, 3759 Chicago Avenue South, and an Administrative Hearing having been held before an Administrative Law Judge who has issued Findings of Fact, Conclusions of Law and a Recommendation that the City Council take adverse action against the licenses held by CUP Foods, now recommends the following:

a. Adoption of the Report of the Administrative Law Judge, except that the Findings of Fact, Paragraph 26, be amended to reflect a time of 9:00 p.m. instead of 9:00 a.m.

b. Denial of the licensee's objections and petition for rehearing.

c. Revocation of all licenses held by CUP Foods, to be stayed on the condition that the licenses shall be suspended, and the business closed, for 180 consecutive days, and upon reopening, the licensee shall comply with all conditions as listed in Appendix A contained in Petn No 266396 on file in the Office of the City Clerk; 90 days of the closure shall be waived upon payment of a \$10,000 administrative fine.

d. In the event of an appeal by the licensee, this action shall be stayed until final decision on appeal.

Adopted. Yeas, 13; Nays none.

Passed December 29, 2000.

Approved January 4, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 13; Nays none.

Adjourned.

MERRY KEEFE,
City Clerk.

Created 1/2/2001; Modified 1/4/2001