

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF OCTOBER 31, 2014

(Published November 8, 2014, in *Finance and Commerce*)

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

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

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

On motion by Glidden, seconded, the minutes of the regular meeting of October 17, 2014, were adopted.

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

The following reports were signed by Mayor Betsy Hodges on November 4, 2014. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

REPORTS OF STANDING COMMITTEES

The CLAIMS Committee submitted the following reports:

Claims - Your Committee, having under consideration the appeal filed by 1100 Nicollet Mall LLP, for property at 1100 Nicollet Mall, from the decision of the Staff Claims Committee denying a claim in the amount of \$20,387.97 relating to water repair, now recommends that said appeal be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Claims - Your Committee, having under consideration the appeal filed by Damon Dunkel, 5152 Lyndale Ave S, Minneapolis, from the decision of the Staff Claims Committee denying a claim in the amount of \$10,496.72 relating to property damage, now recommends that said appeal be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Claims - Your Committee, having under consideration the appeal filed by Michelle Haddad, 3408 Stevens Ave S, #3, Minneapolis, from the decision of the Staff Claims Committee denying a claim in the amount of \$138.00 relating to a towed vehicle, now recommends that said appeal be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Claims - Your Committee, having under consideration the appeal filed by Brenda Harris, 2225 Ilion Ave N, Minneapolis, from the decision of the Staff Claims Committee denying a claim in the amount of \$893.51 relating to vehicle damage, now recommends that said appeal be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Claims - Your Committee, having under consideration the appeal filed by Jeanne LaBore, 4825 29 Ave S, Minneapolis, from the decision of the Staff Claims Committee denying a claim in the amount of \$138.00 relating to a towed vehicle, now recommends that said appeal be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Claims - Your Committee, having under consideration the appeal filed by James Bussmann, 4026 Blaisdell Ave S, Minneapolis, from the decision of the Staff Claims Committee denying a claim in the amount of \$202.16 relating to vehicle damage, now recommends that said appeal be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Claims - Your Committee recommends passage of Resolution 2014R-427 authorizing the Department of Risk Management and Claims to initiate litigation to seek subrogation rights for damages to City property.

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

RESOLUTION 2014R-427
By Goodman

Authorizing Risk Management & Claims to initiate litigation to seek subrogation rights for damages to City property.

Whereas, on June 27, 1997, the City Council authorized the Staff Claims Committee to settle claims up to \$25,000, with claims above \$25,000 to be considered by the City Council; and

Whereas, City property is at times damaged through the negligence of third parties; and

Whereas, the City through Risk Management & Claims seeks voluntary reimbursement from entities and individuals by subrogation of its interests; and

Whereas, the individuals and entities from time to time dispute liability and refuse to pay for damages incurred to City property; and

Whereas, currently City Council approval is required to pursue individual subrogation claims;

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

That the Department of Risk Management and Claims, with the consent of the Office of the City Attorney, is authorized to initiate legal proceedings to collect subrogation claims in an amount not to exceed \$45,000.

Be It Further Resolved that the Director of the Department of Risk Management and Claims shall periodically report to the Claims Committee regarding the status of these litigated subrogation claims.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

The COMMITTEE OF THE WHOLE submitted the following reports:

COW – Your Committee recommends approval of the 2015 Council and Standing Committee Meeting Calendar.

Further, your Committee directs the City Clerk to post the 2015 Calendar as notice of regular meetings and authorizes the City Clerk to incorporate updates, corrections, and changes to the 2015 Calendar, as necessary, to accommodate the City Council and its Standing Committees.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

COW – Your Committee recommends passage of Resolution 2014R-428 rescinding Resolution 93R-156 entitled “Calling for a smoke-free environment in all places where City employees work: Indoor Building spaces and vehicles” and replacing Resolution 93R-156 with, and approving, the Smoke-Free Environment Policy as set forth in Petn No 277654 on file in the Office of City Clerk, to become effective April 1, 2015.

Your Committee further recommends receiving and filing the attached procedures that support the policy; directing City departments and staff to carry out their roles and responsibilities as defined in the City of Minneapolis Smoke Free Environment procedures; and directing the Human Resources Department to place the policy and procedures in the Policy Library.

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

RESOLUTION 2014R-428

By Glidden

Rescinding Resolution 93R-156 entitled “Calling for a smoke-free environment in all places where City employees work: Indoor building spaces and vehicles” passed April 30, 1993.

Resolved by The City Council of the City of Minneapolis:

That the above-entitled resolution be, and is hereby, rescinded effective April 2, 2015, as follows:

~~Whereas, the City of Minneapolis enacted a smoking policy which was implemented in 1986, bringing the City into compliance with the Minnesota Clean Indoor Air Act, Minn. Stat. C.144, and allowing smoking only in designated areas; and~~

~~Whereas, at least seventeen City departments and/or offices have already instituted “no smoking” in their work areas and have had favorable responses from the public and City employees; and~~

~~Whereas, the Surgeon General has estimated that smoking is responsible for more than one in six deaths in the U.S.; and~~

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~~Whereas, the Environmental Protection Agency (EPA) has concluded that environmental tobacco smoke (ETS) is a human lung carcinogen responsible for approximately 3000 lung cancer deaths annually in U.S. nonsmokers; and~~

~~Whereas, the EPA has classified ETS as a Group A carcinogen under EPA's carcinogen assessment guidelines; and~~

~~Whereas, smoking costs U.S. employers \$65 billion every year in increased health insurance costs, increased workers compensation costs, increased accident rates, increased absenteeism, decreased productivity and increased health costs due to passive smoke; and~~

~~Whereas, the Environmental Health Division still receives approximately 12 complaints a year from City employees about ETS in the work place; and~~

~~Whereas, a smoke-free environment would alleviate the need for Environmental Health to make individual department evaluations for approved smoking areas, which took an estimated 200 hours of staff time in 1986;~~

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

~~That effective September 7, 1993, all City owned facilities and leased space and all City vehicles shall be designated as smoke-free and all smoking shall be prohibited.~~

~~Be It Further Resolved that Resolution 86R-296 entitled, "Calling for a smoke-free environment within City owned buildings" shall be rescinded, effective September 7, 1993.~~

~~Be It Further Resolved that the Minneapolis Convention Center shall continue to meet the requirements of the Minnesota Clean Indoor Air Act, Minn. Stat. C.144, but shall otherwise be exempt from this policy at this time.~~

~~Be It Further Resolved that staff is directed to recommend a comprehensive smoke-free plan within 30 days, which includes recommendations for smoking cessation classes and distribution of the information about health promotion, and a review of the City's insurance benefits.~~

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

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

CD&RS – Your Committee, having under consideration the issuance of revenue bonds on behalf of Stonebridge Building Company to finance the acquisition and renovation of an existing facility at 4530 Lyndale Ave S, and having held a joint public hearing thereon with the Minneapolis Community Development Agency (MCDA) Operating Committee, now recommends passage of

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Resolution 2014R-429 giving preliminary and final approval to the issuance of up to \$2,805,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct MCDA Revenue Bonds, Series 2014, for the Stonebridge World School project.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

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

RESOLUTION 2014R-429
By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of Stonebridge Building Company (the “Company”), and authorizing the issuance of a tax-exempt revenue note of the Minneapolis Community Development Agency therefore.

Resolved by The City Council of The City of Minneapolis:

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended (“Chapter 595”), the City Council of the City of Minneapolis (the “City”) established the Minneapolis Community Development Agency (the “Agency”) and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a tax-exempt revenue note in the amount up to \$2,805,000 (the “Note”) to finance a portion of the costs of the acquisition and renovation of the property by the Company located at 4530 Lyndale Avenue South in the City and to be leased to Stonebridge World School, a Minnesota nonprofit and 501(c)(3) corporation (the “Project”); and

Whereas, the Community Development and Regulatory Services Committee of the Minneapolis City Council held a public hearing on October 21, 2014, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), on behalf of the Agency, to consider the proposed issuance of the Note by the Agency, and requested that the City give its approval to the issuance of the proposed Note by the Agency, subject to final approval of the details of said Note by the Agency; and

Whereas, the Agency expects to give final approval to the issuance of the Note by a resolution to be adopted on the date hereof; and

Whereas, the Note shall bear interest at a fixed interest rate re-priced every five years, shall have an expected maturity date of twenty (20) years, and shall have such other terms as required or permitted by the Agency’s resolution, which terms are to be incorporated herein by reference;

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

That in accordance with the requirements of Section 147(f) of the Code, and in accordance with the Laws of Minnesota 1980, Chapter 595, the City Council hereby gives preliminary and final approval

to the issuance by the Agency of the Note in a principal amount of \$2,805,000 for the purpose of financing a portion of the Project described above.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report and resolution were adopted.

Approved by Mayor Betsy Hodges 10/31/2014.

(Published 11/4/2014)

CD&RS - Your Committee, having under consideration the Rental Dwelling License held by Andrew Merande for property at 3430 Newton Ave N, Minneapolis, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 of the Minneapolis Code of Ordinances, and that the Findings of Fact, Conclusions and Recommendation prepared by the Department of Regulatory Services be adopted.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 277664 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

Approved by Mayor Betsy Hodges 10/31/2014.

(Published 11/4/2014)

CD&RS - Your Committee recommends passage of Resolution 2014R-430 approving License Settlement Conference recommendations relating to the On Sale Liquor License held by La Que Buena, 1609-11 Lake St East, Minneapolis.

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

RESOLUTION 2014R-430
By Goodman

Approving License Settlement Conference recommendations relating to the On Sale Liquor License held by La Que Buena, 1609-11 Lake Street East, Minneapolis.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on September 10, 2014 with the licensee; and

Whereas, the Community Development and Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances;

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

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

1. La Que Buena is assessed a \$1500 sanction and a 30 day suspension. \$1000 of the sanction and the 30 day suspension is stayed pending no same or similar violations for a period of two years with the following stipulations. The \$500 sanction shall be paid within one month of signing this agreement.

a) Within 30 days of signing this agreement, La Que Buena will purchase an identification card scanner. This scanner will be used by all employees of La Que Buena to prevent sales to persons under the age of 21.

b) La Que Buena shall train all employees, in all aspects of alcohol service including the use of identification cards to prevent the sale of alcohol to minors.

c) Samples of identification cards shall be posted in a conspicuous place for use of the employees.

d) Four times per year, La Que Buena shall conduct self-check of their employees to ensure they are complying with all their policies to prevent the sale of alcohol to minors. La Que Buena shall maintain records as to the date and conduct of these checks and supply them to the City of Minneapolis upon request.

2. These recommendations are in addition to the previously signed business license operating conditions.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

CD&RS - Your Committee, having under consideration the Rental Dwelling License for property at 1422 Golden Valley Rd, Minneapolis, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Regulatory Services to approve the reinstatement of said license to be held by Morris Klock.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS – Your Committee recommends that the proper City officers be authorized to grant Exclusive Development Rights to Baraka Plaza LLC for 24 months on 5 City-owned parcels at 726 and 730 E Franklin Ave and 1913, 1919 and 1929 Columbus Ave S for development of the Baraka Place mixed-use project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS – Your Committee recommends that the proper City officers be authorized to extend Exclusive Development Rights to Project for Pride in Living for 24 months on 5 City-owned parcels at 617 Lowry Ave N, 3110 and 3116 Lyndale Ave N and 3113 and 3117 6 St N, for development of the Hawthorne EcoVillage Apartments project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS – Your Committee, having under consideration the City's Neighborhood Stabilization Program 2 (NSP2) Consortium Agreements with the City of Brooklyn Park and Hennepin County, now recommends that the proper City officers be authorized to execute an amendment to the NSP2 Consortium Agreement between the City of Minneapolis and the City of Brooklyn Park (C-27657) to extend the contract expiration date for three years to December 31, 2017; and to execute an amendment to the NSP2 Consortium Agreement between the City of Minneapolis and Hennepin County (C-27656) to extend the contract expiration date for three years to December 31, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS – Your Committee recommends that the proper City officers be authorized to preliminarily reserve Year 2015 Federal Low Income Housing Tax Credits totaling \$1,417,737 for the following projects: a) Opportunity Housing Partnership Preservation (706 1st Ave N, 66 12th St S, 1801 LaSalle Ave) in the amount of \$353,477; b) Anishinabe Bi Gii Wiin (1600 19th St E) in the amount of \$692,572; and c) Marshall Flats-Clare Housing (2525 2nd St S), in the amount of \$371,688.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS – Your Committee, having under consideration the request to extend the maturity date on bonds for the Symphony Place Apartments, 1117 Marquette Ave, now recommends passage of Resolution 2014R-431 authorizing a five-year extension of maturity date on Symphony Place Project Series 1988 Housing Development Revenue Refunding Bonds.

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

RESOLUTION 2014R-431
By Goodman

Relating to Symphony Place, a multifamily housing development financed with the proceeds of the Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1988, issued by the City in the original aggregate principal amount of \$19,660,000; consenting to the transfer of the development to a new owner; approving the extension of the maturity date of the Series 1988 Bonds; approving certain documents and authorizing the execution and delivery of such documents by the City.

Resolved by The City Council of The City of Minneapolis:

SECTION 1. BACKGROUND

1.01. Symphony Place. Symphony Place (the “Project”) is a multifamily housing development located at 1117 Marquette Avenue in the City of Minneapolis (the “City”). The Project is comprised of a single twenty-six-story building containing 250 residential rental dwelling units. In 1982, the City issued its Housing Development Revenue Bonds (Symphony Place Project), Series 1982 (the “Series 1982 Bonds”), in the original aggregate principal amount of \$20,000,000, under the terms of an Indenture of Trust, dated as of December 1, 1982 (the “Indenture”), between the City and the predecessor to U.S. Bank Trust National Association, as trustee (the “Trustee”), to finance the Project. The proceeds derived from the sale of the Series 1982 Bonds were loaned by the City to Orchestra Hall Associates, a Minnesota limited partnership (“Orchestra Hall Associates”), and Orchestra Hall Associates applied the proceeds of the loan to the acquisition and construction of the Project.

1.02. Prior Transfers. Under the terms of an Indenture of Trust, dated as of December 1, 1987 (the “Series 1987 Indenture”), between the City and U.S. Bank National Association (formerly known as First Trust Company, Inc.), as trustee (the “Trustee”), the City issued the following obligations: (i) Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1987A (Taxable) (the “Series 1987A Bonds”) in the original aggregate principal amount of \$19,660,000;

and (ii) Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1987B (Taxable) (the "Series 1987B Bonds"), in the original aggregate principal amount of \$2,640,000. The proceeds of the Series 1987A Bonds and Series 1987B Bonds (collectively, the "Series 1987 Bonds") were loaned by the City to Orchestra Hall Associates under the terms of a Loan Agreement, dated as of December 1, 1987 (the "Original Loan Agreement"), between the City and Orchestra Hall Associates. The proceeds of the loan were applied by Orchestra Hall Associates to the defeasance and redemption of the Series 1982 Bonds and to the payment of certain related costs.

Under the terms of the Series 1987 Indenture, as supplemented by a First Supplemental Indenture of Trust, dated as of September 1, 1988 (the "First Supplemental Indenture"), between the City and the Trustee, the City issued its Housing Development Revenue Refunding Bonds (Symphony Place Project), Series 1988 (the "Series 1988 Bonds"), in the original aggregate principal amount of \$19,660,000, and loaned the proceeds derived from the sale of the Series 1988 Bonds to Orchestra Hall Associates under the terms of the Original Loan Agreement, as amended by the terms of Amendment No. 1 to Loan Agreement, dated as of September 1, 1988 ("Amendment No. 1"), between the City, Orchestra Hall Associates, and the Trustee. The proceeds of the loan were applied to the defeasance and redemption of the Series 1987A Bonds.

The Series 1988 Bonds were secured by a letter of credit issued by Citibank, N.A. (the "Citibank Letter of Credit"). In 1992, as a result of financial difficulties with respect to the Project, Citibank, N.A. exercised its remedies against the Project and transferred title to the Project to Marquette Avenue, Inc., a corporation created by Citibank, N.A. for the sole purpose of owning the Project. In 1997, the Project was sold to 1117 Marquette Corp., a Delaware corporation formed by Heitman Capital Management Group for the sole purpose of owning the Project ("1117 Marquette Corp."). In conjunction with the transfer of the Project: (i) a Second Supplemental Indenture of Trust, dated as of February 13, 1997 (the "Second Supplemental Indenture"), between the City and the Trustee was authorized, executed, and delivered; (ii) Amendment No. 2 to Loan Agreement, dated as of February 13, 1997 ("Amendment No. 2"), between the City, 1117 Marquette Corp., and the Trustee, was authorized, executed, and delivered; and (iii) the Citibank Letter of Credit was replaced with a letter of credit issued by American National Bank and Trust Company of Chicago, a national banking association ("American Letter of Credit").

The Project was conveyed from 1117 Marquette Corp. to Oakwood Minneapolis, LLC, a Delaware limited liability company ("Oakwood Minneapolis LLC") on September 29, 1999. The American Letter of Credit was replaced with a Direct Pay Credit Enhancement Agreement, dated as of November 1, 1999 (the "Freddie Mac Credit Agreement"), between the Federal Home Loan Mortgage Corporation ("Freddie Mac") and the Trustee. In conjunction with the substitution of the Freddie Mac Credit Agreement for the American Letter of Credit: (i) a Third Supplemental Indenture of Trust, dated as of November 1, 1999 (the "Third Supplemental Indenture"), between the City and the Trustee was authorized, executed, and delivered; and (ii) Amendment No. 3 to Loan Agreement, dated as of November 1, 1999 ("Amendment No. 3"), between the City and Oakwood Minneapolis LLC, was authorized, executed, and delivered.

1.03. Proposed Transfer. The current owner of the Project is Fund IX SP Minneapolis, L.L.C., a Delaware limited liability company. The Project is proposed to be conveyed from the current owner to MLVI Symphony Place Apartments, LLC, a Delaware limited liability company (the "New Owner"). In conjunction with the transfer of the Project to the New Owner, the New Owner has requested that: (i) the maturity date of the Series 1988 Bonds be extended by five (5) years; and (ii) certain documents be authorized, executed, and delivered by the City to facilitate the transfer of the Project to the new owner, the extension of the maturity date of the Series 1988 Bonds, and the extension of the Freddie Mac Credit Agreement.

SECTION 2. TRANSFER AND AMENDMENTS

2.01. Consent to Transfer. The Council hereby consents to the transfer of the Project from Fund IX SP Minneapolis, L.L.C. to the New Owner (or to any related person or entity formed by TIAA-CREF to acquire and own the Project). The transfer is subject to the condition that the City receives an opinion of Kennedy & Graven, Chartered, in its capacity as bond counsel to the City ("Bond Counsel"), to the effect that: (i) the transfer of the Project to the New Owner is authorized by (A) applicable law; (B) the Series 1987 Indenture, as supplemented by the First Supplemental Indenture, the Second Supplemental Indenture, and the Third Supplemental Indenture (collectively, the "Indenture"), and any additional supplement to the Indenture; (C) the Original Loan Agreement, as amended by Amendment No. 1, Amendment No. 2, and Amendment No. 3 (collectively, the "Loan Agreement"), and any additional amendment to the Loan Agreement; and (D) the Freddie Mac Credit Agreement; and (ii) the transfer will not cause interest on the Series 1988 Bonds to become includable in gross income for federal income tax purposes.

2.02. Consent to Extension of Maturity Date. The Council hereby consents to the extension of the maturity date of the Series 1988 Bonds by up to five (5) years and a corresponding extension of the effective date of the Freddie Mac Credit Agreement by up to five (5) years. The approvals of the extension of the maturity date of the Series 1988 Bonds and of the effective date of the Freddie Mac Credit Agreement are subject to the condition that the City receives an opinion of Bond Counsel to the effect that: (i) the extension of the maturity date of the Series 1988 Bonds will not cause the Series 1988 Bonds to be deemed reissued for federal income tax purposes; and (ii) will not cause interest on the Series 1988 Bonds to become includable in gross income for federal income tax purposes.

2.03. Consent to Substitution of Remarketing Agent. The Council hereby consents to the substitution of Citi Global Markets, Inc. (successor to Newman and Associates, Inc.), as the current Remarketing Agent under the Remarketing Agreement, dated November 1, 1999, and the appointment of Stern Brothers & Co. as the successor Remarketing Agent.

2.04. Authorized Documents. The Finance Officer is hereby authorized and directed to execute any instruments, agreements, and other documents (the "Documents") that are determined by Bond Counsel to be necessary or appropriate to facilitate the transfers, extensions, substitutions, and amendments authorized by the terms of this resolution and, in particular, to approve the transfer of the Project to the New Owner and the extension of the maturity date of the Series 1988 Bonds and the effective date of the Freddie Mac Credit Agreement. The Documents may be executed in any number of counterparts. All such counterparts shall be deemed to be originals and shall together constitute one and the same instrument.

2.05. Certifications. The Finance Officer and other officers, employees, and agents of the City are hereby authorized and directed, individually and collectively, to furnish certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to execute and deliver the Documents and to consent to the transfer of the Project, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by Bond Counsel, and with the approval of Bond Counsel, as may be requested by the Trustee or other persons or entities in conjunction with the transfer of the Project or the execution and delivery of the Documents.

SECTION 3. MISCELLANEOUS

3.01. Agreements Binding. Any agreements, covenants, or obligations of the City contained in this resolution and in the above-referenced Documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced Documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the above-referenced Documents shall be liable personally on the above-referenced Documents or be subject to any personal liability or accountability by reason of the execution and delivery of the above-referenced Documents.

3.02. Rights Conferred. Nothing in this resolution or in the above-referenced Documents is intended or shall be constructed to confer upon any person (other than as provided in the Documents and the other agreements and instruments hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

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

3.04. Amendments. The authority to approve, execute, and deliver future amendments to the Documents executed and delivered by the City in connection with the transactions contemplated by this resolution is hereby delegated to the Finance Officer, subject to the following conditions: (a) such amendments do not require the consent of the holders of the Series 1988 Bonds or, if required, such consent has been obtained; (b) such amendments do not materially adversely affect the interests of the City as the issuer of the Series 1988 Bonds; (c) such amendments do not contravene or violate any policy of the City; (d) such amendments are acceptable in form and substance to the City Attorney, Bond Counsel, or other counsel retained by the City to review such amendments; and (e) such amendments do not materially prejudice the interests of the owners of the Series 1988 Bonds. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this resolution. The execution of any instrument by the Finance Officer shall be conclusive evidence of the approval of such instrument in accordance with the terms hereof. In the absence of the Finance Officer, any instrument authorized by this paragraph to be executed and delivered by the Finance Officer may be executed by such other officer of the City as in the opinion of the City Attorney is authorized to execute and deliver such document.

3.05. Effective Date. This resolution shall be effective immediately after the date of adoption and publication hereof. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

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

CD&RS & W&M – Your Committee, having under consideration development of the West Broadway Education and Career Center at 800 W Broadway and 2019 Aldrich Ave N, now recommends:

a) Passage of the accompanying resolutions:

1) Resolution 2014R-432 approving the 800 West Broadway Tax Increment Financing (TIF) Plan, Modification No. 10 to the West Broadway Redevelopment Plan and Modification No. 124 to the Common Plan;

2) Resolution 2014R-433 approving the acquisition of 800 W Broadway from Hennepin County-Tax Forfeited Land and simultaneous disposition to Sherman Associates, Inc's single asset entity 800 West Broadway LLC for \$50,000;

3) Resolution 2014R-434 authorizing the issuance of a Limited Revenue Pay-As-You-Go TIF Note to 800 West Broadway LLC in a principal amount not to exceed \$500,000;

4) Resolution 2014R-435 increasing the appropriation in the Department of Community Planning and Economic Development (CPED) by \$50,000 and increasing the revenue budget; and establishing the CPED 800 West Broadway Fund with an initial appropriation of \$5,000;

b) Approving the proposed redevelopment contract business terms as described in the CPED report;

c) That the proper City officers be authorized to:

1) Execute necessary agreements with the United States Department of Health and Human Services to remove a Federal Interest lien on 800 W Broadway;

2) Establish alternative Business Subsidy Goals and execute a Business Subsidy Agreement with 800 West Broadway LLC;

3) Execute a Business Subsidy Agreement between the City and 800 West Broadway LLC establishing the aforementioned goal, outlining reporting requirements and identifying the penalty of failure to perform;

4) Execute a redevelopment contract and all other necessary documents related to the recommended actions, including the Term Sheet with 800 West Broadway LLC or an affiliate entity.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report and resolutions were adopted.

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

**RESOLUTION 2014R-432
By Goodman and Quincy**

Approving the 800 West Broadway Tax Increment Financing Plan, Modification No 10 to the West Broadway Redevelopment Plan and Modification No 124 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

Resolved by the City Council of the City of Minneapolis:

Section 1. Recitals

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

1.2. By a resolution duly adopted August 31, 1973, the City approved the West Broadway Redevelopment Plan and thereby established the West Broadway Redevelopment Project (the "Project Area"). Subsequent modifications to the West Broadway Redevelopment Plan have described more precisely the Project Area, the activities to be undertaken and the property that may be acquired, all pursuant to the Project Laws.

1.3. By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City approved the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the "Common Plans") and established the Common Development and Redevelopment Project (the "Common Project"). Subsequent modifications to the Common Plans have described more precisely the Common Project, the activities to be undertaken and the property that may be acquired, all pursuant to the Project Laws.

1.4. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the 800 West Broadway TIF Plan (the "TIF Plan"), Modification No 10 to the West Broadway Redevelopment Plan ("Modification No 10") and Modification No 124 to the Common Plans (collectively, the "Plans"). The TIF Plan creates a new redevelopment TIF district (the "TIF District") within the West Broadway Redevelopment Project, designates property to be included in the TIF District, states the City's objectives, describes proposed development activity including properties that may be acquired by the City, and identifies a budget for expenditures.

Modification No 10 and Modification No 124 to the Common Plans identify two parcels as property that may be acquired by the City. These actions are all pursuant to and in accordance with the Project Laws.

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

Section 2. Findings and Election

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

2.2. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Plans were issued on October 14, 2014, are incorporated herein by reference, and are on file in the office of the City Clerk.

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

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

2.5. The Council further finds, determines and declares that the TIF District is a redevelopment district pursuant to Minnesota Statutes, Section 469.174, Subdivision 10.

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

2.7. The Council further finds, determines and declares that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increment for the maximum duration of the district permitted by the TIF Plan.

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

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

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

Section 3. Approval of the Plans

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

Section 4. Implementation of the Plans

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

RESOLUTION 2014R-433
By Goodman and Quincy

Authorizing sale of land West Broadway Redevelopment Plan Disposition Parcel No TF-825 at 800 W Broadway.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-825 in the Hawthorne neighborhood, from 800 West Broadway LLC, hereinafter known as the Redeveloper, the Parcel(s) TF-825, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-825; 800 West Broadway: Lots 4, 5, 6, and 7, Block 9, Highland Park Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$50,000, for Parcel TF-825; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, October 10, 2014, a public hearing on the proposed sale was duly held on October 21, 2014, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the West Broadway Redevelopment Plan plan, as amended, is hereby estimated to be the sum of \$285,000, for Parcel TF-825.

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

RESOLUTION 2014R-434
By Goodman and Quincy

Authorizing the issuance of a tax increment limited revenue note in substantially the form recited herein in a principal amount not exceeding \$500,000 in connection with the 800 West Broadway Project.

Whereas, the City of Minneapolis (the "City"), acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, has certain powers, including without limitation the powers set forth in Minnesota Statutes, Sections 469.001

through 469.047, as amended (the "HRA Act") and Minnesota Statutes, Sections 469.174 through 469.1799, as amended (the "Tax Increment Act"); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes, and in this connection the City is carrying out a redevelopment project known as the West Broadway Redevelopment Project (the "Project") as modified through October 31, 2014 (the "Redevelopment Plan"); and

Whereas, in furtherance of the Redevelopment Plan, the City also has approved the 800 West Broadway Tax Increment Financing Plan dated September 5, 2014 and adopted October 31, 2014 (the "TIF Plan"); and

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

Whereas, the City intends to enter into a redevelopment contract (the "Contract") with 800 West Broadway, LLC, a Minnesota limited liability company (the "Developer"), pursuant to which the City will provide tax increment financing assistance and the Developer will rehabilitate a 47,100 square foot commercial building into a multi-use commercial office and retail building;

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

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

[Form of Note]

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

**TAX INCREMENT LIMITED REVENUE NOTE
(800 West Broadway Project)**

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of 800 West Broadway, LLC, a Minnesota limited liability company (or its permitted successors or assigns under the Contract, the "Developer"), solely from the source, to the extent, and in the manner hereinafter provided, the principal amount of this Note, being Five Hundred Thousand and No/100 Dollars (\$500,000.00) or such lesser amount as may equal the certified Public Costs, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

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

"Available Tax Increment" means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the school district, the county and the state pursuant to *Minnesota Statutes*,

Sections 469.177, Subds. 9, 10, and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) actual administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

"Certificate of Completion" means a certificate issued by the City to the Developer pursuant to Section _____ of the Contract upon substantial completion of the Minimum Improvements.

"Contract" means that certain Redevelopment Contract by and between the City and the Developer dated [insert date], 2014.

"District" means the 800 West Broadway Tax Increment Finance District within the Redevelopment Project.

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

"Minimum Improvements" means rehabilitation of a 47,100 square foot commercial building into a multi-use commercial office and retail building and related improvements as described in the Contract.

"Note Rate" means 4.0% per annum.

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

"Property" means the real property legally described in the attached **Exhibit A**, upon which the Minimum Improvements will be constructed.

"Public Costs" means actual Public Costs as defined in the Contract, not in excess of \$500,000 related to the Minimum Improvements and which are approved by the City pursuant to the Contract.

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

"Redevelopment Project" means the West Broadway Redevelopment Project, which includes the Property, as modified pursuant to Modification No. 10 to the West Broadway Redevelopment Plan.

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

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

OCTOBER 31, 2014

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. If the Developer is in default under the Contract, and, after notice by the City to the Developer as provided in the Contract, such default has not been cured within the time period provided in the Contract, then the City may suspend payment on this Note until a) the default is cured or b) prior to the issuance of the Certificate of Completion, the Contract and the City's obligations under this Note are terminated. If the City suspends payments due under this TIF Note, the City shall make the suspended payments to the Developer within ten (10) business days after the Developer's cure of the Event of Default. The City is not obligated to pay interest on the amount of the suspended payments between the date the payment is suspended and the last date on which the City is obligated to make the suspended payment to the Developer. To the extent that on any Payment Date there is insufficient Available Tax Increment to make a scheduled payment, such failure to make a scheduled payment shall not constitute a default under this Note. If the Developer or other Minimum Improvements' owner fails to pay all or a portion of the property taxes due and owing on the Minimum Improvements, then upon such failure to pay, no interest as required by the Note shall accrue on an amount equal to the amount of the Available Tax Increment that would have been paid to the City had such property tax amounts been paid.

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

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

Notwithstanding any contrary provisions of this Note, if the Minimum Improvements have not been completed and a lease for a minimum of ten (10) years signed with the State of Minnesota to operate a Workforce Center in the Property by _____, 2017 or such later time as is needed due to Unavoidable Delays, as permitted in the Contract and after written notice to Developer and opportunity to cure as provided in the Contract, the City may terminate this Note.

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

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

THE NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA, EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE

OCTOBER 31, 2014

TAX INCREMENT AS SET FORTH HEREIN, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THE NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, NOR SHALL THE NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT AS SET FORTH HEREIN.

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

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

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

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

IN WITNESS WHEREOF, the City of Minneapolis, by action of its City Council, has caused this Note to be executed by the manual signature of its Finance Officer, and has caused this Note to be dated _____, 2014.

CITY OF MINNEAPOLIS

By _____
Kevin Carpenter
Its Finance Officer

Approved as to form:

Assistant City Attorney

EXHIBIT A TO NOTE

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

2. Be It Further Resolved that the form of the Note is hereby approved and shall be executed by the Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof.

3. Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the Note are hereby approved, ratified and confirmed.
4. Be It Further Resolved that issuance of said Note to the Developer is hereby approved, and the Note is hereby directed to be delivered to the Developer, upon the terms and conditions set forth in the Redevelopment Contract.
5. Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the Note.
6. Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Note or in any other document related to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the tax increment revenues which are to be applied to the payment of the Note, as provided therein and in the Redevelopment Contract. The Note shall not constitute a charge, lien or encumbrance, legal or equitable upon any property or funds of the City except that revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Note or the interest thereon, or to enforce payment hereon against any property of the City. The Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.
7. Be It Further Resolved that the Note, when executed and delivered, shall contain a recital that it is issued pursuant to the Tax Increment Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.
8. Be It Further Resolved that this resolution shall be in full force and effect from and after its date of publication.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

RESOLUTION 2014R-435
By Goodman and Quincy

Amending the 2014 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

- a) Increasing the appropriation in the Department of Community Planning and Economic Development (CPED) Development Account Fund (01SDA-8900320) by \$50,000 and increasing the revenue budget (01SDA-8900900 – 348501) by \$50,000; and
- b) Establishing the CPED 800 West Broadway Fund (01CWB – 8900900) with an initial appropriation of \$5,000.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

CD&RS & W&M – Your Committee, having under consideration 2014 Affordable Housing Trust Fund (AHTF) project recommendations, now recommends approval of a total up to \$6,115,250 from the AHTF subject to the availability of funding at project closing, and that the proper City officers be authorized to execute the necessary documents for the following AHTF loans:

- a) Up to \$125,250 for the Affirmation House project, 3310 Penn Ave N, by Project for Pride in Living (PPL), or an affiliated entity;
- b) Up to \$1,025,000 for the Boeser Phase I/Prospect North Gardens project, 2901 Fourth St SE by The Cornerstone Group or an affiliated entity, subject to the partnership securing a Limited Partner Equity Investor;
- c) Additional loan up to \$415,000 for the Corcoran Triangle Apartments project, 3120 24th Ave S by Corridor Plaza LLC (Steve Wellington) or an affiliated entity, subject to the project receiving funding from MHFA;
- d) Up to \$160,000 for the Indian Neighborhood Club project, 2101 S 5th Ave, by Indian Neighborhood Club or an affiliated entity;
- e) Additional loan of up to \$190,000 for the Little Earth VI project, 2432 and 2434 Cedar Ave S and 2499 18th Ave S by the Little Earth of United Tribes Housing Corporation or an affiliated entity;
- f) Additional loan of up to \$100,000 for the Marshall Flats project, 2525 2nd St NE by Clare Housing or an affiliated entity;
- g) Additional loan of up to \$300,000 for the Mill City Quarter project, 300 2nd St S by Iron Eagle Partners, LLC or an affiliated entity;
- h) Up to \$650,000 for the Opportunity Housing Partnership project, 706 1st Ave N, 66 12th St S and 1801 LaSalle Ave by AEON or an affiliated entity;
- i) Up to \$1,250,000 for the Plymouth Stevens House project, 1495, 1414, 1500, 1501, 1516, 1611, 1701 and 1815 Plymouth Ave N, 1300 Irving Ave N and 2625 Stevens Ave S by Affordable Homes for All, MDR Real Estate Holdings, LLC or affiliated entity, subject to the partnership repaying the

outstanding CPED mortgages currently on Plymouth Avenue Townhomes and Stevens House sites respectively;

j) Up to \$750,000 for the Rental Reclaim VI project located at several scattered addresses to be named later by Urban Homeworks, or an affiliated entity;

k) Up to \$1,150,000 for the Youthlink Project, 41 12th St N by Project for Pride in Living and Youthlink or an affiliated entity.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

CD&RS & W&M - Your Committee, having under consideration the recommendation of the Department of Community Planning & Economic Development (CPED) for submittal of Environmental Remediation Grant applications for remediation and/or investigation funding for Fall 2014, now recommends passage of the accompanying resolutions:

a) Resolution 2014R-436 authorizing application to the Minnesota Department of Employment and Economic Development [DEED] Contamination Cleanup and Investigation Grant Program for the following projects: 602 Residences, 729 Washington, The Encore, New Horizon Academy, and Washington-Chicago Development;

b) Resolution 2014R-437 authorizing application to the Metropolitan Council's Tax Base Revitalization Account [TBRA] Grant Program for the following projects: 602 Residences, 729 Washington, Anishinabe Bii Gii Wiin, The Encore, Hawthorne EcoVillage Apts., Leef Park, Manufacturer's Building, New Horizon Academy, and Washington-Chicago Development; and

c) Resolution 2014R-438 authorizing application to the Hennepin County Environmental Response Fund [ERF] for the following projects: 602 Residences, CLCLT Homes – Fall 2014, The Encore, Hawthorne EcoVillage Apts., Leef Park, Minnesota Brownfields, MPRB – East Bank Trail, MPRB – NE Athletic Field Park Phase 1, New Horizon Academy, and Washington-Chicago Development.

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

**RESOLUTION 2014R-436
By Goodman and Quincy**

Authorizing application to the Minnesota Department of Employment and Economic Development [DEED] Contamination Cleanup and Investigation Grant Program for various projects.

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis has approved the Contamination Cleanup grant applications to be submitted to the Department of Employment and Economic Development (DEED) on November 3, 2014 by the City of Minneapolis for the following sites: 602 Residences, 729 Washington, The Encore, New Horizon Academy, and Washington-Chicago Development.

Be It Further Resolved that the City of Minneapolis act as the legal sponsor for the projects contained in the Contamination Cleanup Grant Program applications to be submitted on November 3, 2014 and that the Director of the Department of Community Planning and Economic Development (or his designee) is hereby authorized to apply to the Department of Employment and Economic Development for funding of the aforementioned projects on behalf of the City.

Be It Further Resolved that the City of Minneapolis has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

Be It Further Resolved that the sources and amounts of the local match identified in the application are committed to the projects identified.

Be It Further Resolved that the City of Minneapolis has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the City of Minneapolis may enter into agreements with the State of Minnesota for the above-referenced project(s), and that the City of Minneapolis certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the Finance Officer or his designee will be authorized to execute such agreements as are necessary to implement the projects on behalf of the applicant.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

RESOLUTION 2014R-437

By Goodman and Quincy

Authorizing application to the Metropolitan Council Tax Base Revitalization Account [TBRA] for various projects.

Whereas, the City of Minneapolis (the "City") is a participant in the Livable Communities Act's Local Housing Incentives Account Program for 2014 as determined by the Metropolitan Council, and is therefore eligible to make application for funds under the Tax Base Revitalization Account; and

Whereas, the City has identified the following investigation and/or clean-up projects within the City that meet the Tax Base Revitalization Account's purposes and criteria: 602 Residences, 729 Washington, Anishinabe Bii Gii Wiin, The Encore, Hawthorne EcoVillage Apts., Leef Park, Manufacturer's Building, New Horizon Academy, and Washington-Chicago Development; and,

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

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the contract grant agreements; and

Whereas, the City finds that the contamination investigation and/or cleanup will not occur through private or other public investment within the reasonably foreseeable future without Tax Base Revitalization Account grant funding; and

Whereas, the City represents that it has undertaken reasonable and good faith efforts to procure funding for the activities for which Livable Communities Act Tax Base Revitalization Account funding is sought but was not able to find or secure from other sources funding that is necessary for investigation and/or cleanup completion and states that this representation is based on the following reasons and supporting facts: City staff members provide information about all potential sources of brownfield grant funding and actively encourage project proponents to seek funding from as many prospective funding sources as possible.

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

That the City Council authorizes the Director of the Department of Community Planning and Economic Development or other appropriate City staff to apply on behalf of the City of Minneapolis to the Metropolitan Council for Tax Base Revitalization Account funding for one or more of the above-referenced projects. The City acknowledges that for each grant awarded to and accepted by the City, the City will be the grantee and will act as legal sponsor, and will administer and be responsible for grant funds expended for the project referred to in the applicable grant application.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

**RESOLUTION 2014R-438
By Goodman and Quincy**

Authorizing application to the Hennepin County Environmental Response Fund for various projects.

Whereas, the City of Minneapolis intends to act as the legal sponsor for one or more of the following investigation or cleanup projects: 602 Residences, CLCLT Homes – Fall 2014, The Encore, Hawthorne EcoVillage Apts., Leef Park, MPRB – East Bank Trail, MPRB – NE Athletic Field Park Phase 1, New Horizon Academy, and Washington-Chicago Development;

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

That the City Council approves the aforementioned investigation and/or cleanup projects (although said approval does not confer other benefits or waive zoning, land use, building code or other applicable requirements), for which Environmental Response Fund grant applications are being submitted to the Hennepin County Department of Environmental Services on November 3, 2014 by the City of Minneapolis or by the affected property owner or developer.

Be It Further Resolved that the City Council approves the investigation and cleanup projects (although said approval does not confer other benefits or waive zoning, land use, building code or other applicable requirements) to be funded by the Minnesota Brownfields Gap Financing Program, for which an Environmental Response Fund grant application will be submitted to the Hennepin County Department of Environmental Services on November 3, 2014 by Minnesota Brownfields (a nonprofit organization that will also be administering the program in question).

For each project identified above for which the City is not the applicant, the City Council approval granted by this resolution is specifically contingent upon the applicant agreeing to have City staff administer (subject to the applicable City grant administration fee) any Hennepin County ERF grant that results from an application submitted directly to the County by the project developer, if the City is administering funds from other grantors for related project activities.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The resolution was adopted.

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

HE&CE - Your Committee, to whom was referred an ordinance amending Title 10, Chapter 203 of the Minneapolis Code of Ordinances relating to Food Code: Grocery Stores and Specialty Food Stores, amending various provisions including those related to staple food requirements and specialty food store exemptions, and having held a public hearing thereon, now recommends that Ordinance 2014-Or-092 be given its second reading for amendment and passage.

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

ORDINANCE 2014-Or-092
By Gordon
Intro & 1st Reading: 5/10/2013
Ref to: RE&E
2nd Reading: 10/31/2014

Amending Title 10, Chapter 203 of the Minneapolis Code of Ordinances relating to Food Code: Grocery Stores and Specialty Food Stores.

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

Section 1. That the title of Chapter 203 of the Minneapolis Code of Ordinances be amended to read as follows:

CHAPTER 203. GROCERY STORES AND SPECIALTY FOOD STORES

Section 2. That Chapter 203 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 203.05 to read as follows:

203.05. Findings. The council finds that it is in the interest of the public health, safety and welfare to ensure that grocery stores in the City of Minneapolis provide a certain minimum level of healthy food.

Section 3. That Section 203.10 of the above-entitled ordinance be amended by deleting and adding definitions in alphabetical sequence to read as follows:

203.10. Definitions. As used in this chapter, the following words and phrases shall mean:

Accessory food items. Non-staple food items, such as coffee, tea, cocoa, carbonated and uncarbonated drinks, candy, condiments, and spices.

Accessory use grocery. A retail establishment that sells staple foods as an accessory use to its primary business, or sells only specialized types or classes of staple foods and accessory foods, including, but not limited to, such establishments as imported food stores and gift shops. The definition of accessory use grocery does not include stores that accept government supplemental nutrition programs.

Grocery store. A retail establishment that sells such products as staple foods, accessory food items, and household goods.

~~*Perishable foods.* Those items that are fresh, un-refrigerated or refrigerated staple food items that will spoil or suffer significant deterioration in quality within two (2) to three (3) weeks.~~

~~*Specialty food store.* A retail establishment that sells only specialized types or classes of staple foods and accessory foods, including, but not limited to, such establishments as imported food stores, gift shops, department stores, and general retail stores that specialize in products other than consumable products. Such an establishment may not sell tobacco products. A specialty food store is not a grocery store that sells a wide variety of common staple food items so as to be eligible for government supplemental nutrition programs.~~

Staple foods. Those food items intended for home preparation and consumption, including meat, poultry, fish, bread, and breadstuffs, cereals, vegetables, fruits, fruit and vegetable juices, and dairy products. All grocery stores licensed under this chapter must offer for sale food for home preparation and consumption, on a continuous basis. The following items and quantities are required:

(a) Milk: Five (5) gallons of unsweetened, unflavored, fluid cow's milk in up to a gallon or half-gallon containers in any combination of at least two of the following varieties: skim or nonfat, one percent (1%), or two percent (2%), or "plain" or "original" soy milk or other milk alternatives.

(b) Cheese: Six (6) pounds of cheese in packages of at least one-half pound (8 ounces) each, in any combination of at least three (3) varieties, not including processed cheese products.

(c) Eggs: Six (6) one dozen (12) containers of fresh large-size eggs.

(d) Meat and vegetable protein sources: at least three (3) varieties of meat, poultry, canned fish packed in water, or vegetable proteins such as nut butter and/or tofu. Nut butters can be up to eighteen (18) ounces in size and are not to contain any other food product such as jelly, jam, chocolate or honey.

- (e) Fruits and Vegetables: Thirty (30) pounds or fifty (50) items total of fresh and/or frozen fruits and vegetables that do not contain added ingredients including sweeteners, salt, sauces, or seasonings, in at least seven (7) varieties, with at least five (5) varieties that are fresh and perishable, and with no more than fifty percent (50%) of the total selection being from a single variety.
- (f) Juice: Six (6) containers of any combination of the following, as long as at least two (2) containers are one hundred percent (100%) citrus juice, (orange, grapefruit or orange/grapefruit) in any combination of the following types:
- (1) Eleven and one-half (11 1/2) to twelve (12) ounce containers of pure and unsweetened frozen or non-frozen concentrate one hundred percent (100%) juice; or
- (2) Fifty-nine (59) ounce or larger containers of pure and unsweetened one hundred percent (100%) juice.
- (g) Whole Grain Cereal: Four (4) boxes or bags twelve (12) ounces or larger of whole grain cereal or cereal grains in any combination of at least three (3) varieties.
- (h) Whole Grains: Five (5) pounds of whole grains of at least three (3) varieties such as bread, corn tortillas, brown rice or oatmeal.
- (i) Canned Beans: One hundred ninety-two (192) ounces of canned beans or legumes in any combination of at least three (3) varieties.
- (j) Dried Peas, Beans, Lentils: Four (4) packages, up to sixteen (16) ounces in size, of dried beans, peas or lentils without any added ingredients.

Section 4. That Section 203.20 of the above-entitled ordinance be amended to read as follows:

203.20. Requirements. Grocery stores and ~~specialty foods stores~~ accessory use grocery stores are ~~both~~ subject to the requirements of chapter 188. A grocery store that does not possess a grocery license as of February 9, 1996 must meet the requirements of subsections (a) and (b). All grocery stores licensed under this chapter except those exempted pursuant to section 203.30 must meet the requirements of subsection (c).

- (a) The grocery store shall provide and maintain a minimum sales floor area of two thousand (2,000) square feet.
- (b) The grocery store shall provide and maintain a minimum of four (4) adjoining off-street parking spaces, notwithstanding the provisions of chapter 531.
- (c) All grocery stores licensed under this chapter must offer for sale food for home preparation and consumption, on a continuous basis, staple foods as defined in 203.10. Food shall be at least three (3) varieties of qualifying, non-expired or spoiled and maintained according to established industry standards for food safety. To count towards the staple food standards, perishable items, including fresh fruits and vegetables, shall be offered in good condition,

~~not overripe or seriously deformed and free from decay, discoloration, bruising and surface damage, food in each of the following four (4) staple food groups, with at least five (5) varieties of perishable food in the first category and at least two (2) varieties of perishable food in all subsequent categories:~~

- ~~(1) Vegetables and/or fruits.~~
- ~~(2) Meat, poultry, fish and/or vegetable proteins.~~
- ~~(3) Bread and/or cereal.~~
- ~~(4) Dairy products and/or substitutes.~~

Section 5. That Section 203.30 of the above-entitled ordinance be amended to read as follows:

203.30. Exemptions. The following are exempt from the requirements of sections 203.20(a) and 203.20(b) and 203.20(c):

- (a) ~~Specialty food stores~~ Accessory use groceries.
- (b) Gasoline Filling stations, licensed under chapter 287 of this Code, and having not more than three hundred (300) square feet of retail sales floor area.
- (c) Grocery stores located in the central commercial district, as defined in section 360.10.

Additionally, a grocery store located in a shopping center as defined in section 520.160 is exempt from the requirements of sections 203.20(a) and 203.20(b).

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The ordinance was adopted.

HE&CE - Your Committee, to whom was referred an ordinance amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances related to Food Code: Administration and Licensing, amending provisions related to Event Sponsor Permits and Short-Term Food Permit requirements, and having held a public hearing thereon, now recommends that Ordinance 2014-Or-093 be given its second reading for amendment and passage.

Your Committee further recommends that the License Fee Schedule be amended by adding the following:

License Type	Fee
Event Sponsor with 1-10 vendors:	\$87.00
Event Sponsor with 11-20 vendors:	\$174.00
Event Sponsor with 21+ vendors:	\$261.00
Event Sponsor at Convention Center:	\$43.50.

OCTOBER 31, 2014

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

ORDINANCE 2014-Or-093
By Gordon
Intro & 1st Reading: 10/3/2014
Ref to: HE&CE
2nd Reading: 10/31/2014

Amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Administration and Licensing.

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

Section 1. That Section 188.170 of the above-entitled ordinance be amended to read as follows:

188.170. Short-term food permits and seasonal short-term food permits. Food or beverages may be served at community celebrations or similar events given that an event sponsor permit application, which contains a listing of all food and beverage vendors, is approved by the licensing official and Commissioner of Health or designee. Event sponsor permit includes one short-term food establishment permit to be operated by the event sponsor per event. Vendors of non-potentially hazardous beverages from a can, bottle or keg without garnishment or ice may be included under the event sponsor's short term food establishment permit without payment of any additional or separate food establishment permit fee, provided all other applicable beverage alcohol permits or licenses are lawfully obtained and fees paid. All other food and beverage vendors must obtain an individual short-term food establishment permit or hold a Minneapolis seasonal short-term food establishment permit. Event sponsor permits may be issued under proper application and the payment of a fee as established in the License Fee Schedule. Short-term food permits and seasonal short-term food establishments as defined in 186.50 for the sale of food and drink for a period of no more than three (3) times annually, for no more than ten (10) total days, at community celebrations, circuses, and other like and similar occasions, may be issued a permit upon proper application and the payment of a fee as established in Appendix J, License Fee Schedule. A seasonal short-term food establishment permit may be issued upon proper application and payment of a fee as established in Appendix J, License Fee Schedule. In the case of a sShort-term permit or a seasonal short-term food establishment permits establishment, allow no more than two (2) food stands shall be allowed to operate per permit. The operation of short-term food establishments and seasonal short-term food establishments must be in conformity with the provisions of this chapter. The application for an event sponsor or short-term food establishment permit will be considered late if not received by the licensing official ten (10) or more business days prior to the date of the event. A late fee equal to fifty (50) one hundred (100) percent of the application fee will be charged to the applicant and must be received by the licensing official before the event sponsor or short-term food establishment permit is granted. A short-term food permit with more than ten (10) food vendors at an event may request a permit based on cost of inspection as determined by the environmental health division. Notwithstanding any other ordinance provision, the event sponsor, short-term food establishment permit application and the seasonal short-term food establishment permit application shall be reviewed by the licensing official and

Commissioner of Health or designee and approved or denied by the licensing official, with notice of the decision given to the council member representing the affected ward.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report and ordinance were adopted.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:

IGR - Your Committee recommends that the City's Fiscal Year 2015 Federal Legislative Agenda, adopted August 15, 2014, be further amended by including on page 13 after the last policy recommendation the following:

Combating Antibiotic-Resistant Bacteria.

Antibiotic resistance is the ability of bacteria or other microbes to resist the effects of an antibiotic. Antibiotic resistance occurs when bacteria change in some way that reduces or eliminates the effectiveness of drugs, chemicals, or other agents designed to cure or prevent infections. The bacteria survive and continue to multiply causing more harm. The Centers for Disease Control and Prevention reports antibiotic-resistant infections are linked to 23,000 deaths and 2 million illnesses annually in the United States. It is estimated by the CDC that antibiotic-resistant infections cost the economy as much as \$20.0 billion annually.

While there have been federal efforts both legislatively and administratively to combat antibiotic resistant bacteria, there has not been a coordinated federal effort. Recognizing the growing concern regarding antibiotic-resistant bacteria, the President addressed the issue by releasing a national strategy regarding the issue, and issuing an executive order related to the strategy. The Executive Order establishes a task force of federal agencies that is directed to develop a five-year plan based on the strategy and recommendations from the President's Council of Advisors on Science and Technology (PCAST). The task force is chaired by the Secretaries of Defense and Health and Human Services. The plan is due to be presented to the President by February 15, 2015.

Among the PCAST's recommendations are several regarding the use of antibiotics for animal agriculture. Antibiotics have been used extensively in animal agriculture and there is concern that their use could be contributing to bacteria resistance.. The Food and Drug Administration has issued a voluntary guidance that is intended to reduce the use of antibiotics in animal agriculture but it is not certain if the guidance will achieve its goal.

The PCAST recommends that "If the FDA guidances are not effective in mitigating the risk of antibiotic resistance associated with antibiotic use in animal agriculture, FDA should take additional measures to protect human health." In addition to administrative rules, legislation limiting the use of antibiotics in agriculture has been introduced in the 2013/2014 Congress and in previous years. The Preservation of Antibiotics for Medical Treatment Act (PAMTA) authored by Rep. Louise Slaughter would limit the use of certain types of antibiotics for humans or animals that are sick rather than to prevent illness or foster animal growth. The bill has not been heard in either the House or Senate.

The City of Minneapolis recommends that the President and Congress adopt a plan to combat antibiotic resistant bacteria, fund its implementation and enact legislation that limits the use of antibiotics in agricultural animals.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

IGR - Your Committee recommends that the City's Fiscal Year 2015 Federal Legislative Agenda, adopted August 15, 2014, be further amended by adding the following language after the last sentence on page 13:

Waters of the United States

The U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers have proposed a rule to clarify protection under the Clean Water Act (CWA) for streams and wetlands that are a significant component of the nation's water resources. The EPA in 2008 issued guidance that applied to Supreme Court decisions ordered in 2001 and 2006. The proposed rule does not add protection to any new types of waters that have not historically been covered by the CWA, nor does the rule in any way limit current regulatory and statutory exemptions and exclusions. The proposed rule is intended to apply the Supreme Court decisions and improvements in science.

Recommendation: The City of Minneapolis recommends that: the Environmental Protection Agency and the Army Corps of Engineers support the proposed Definition of "Waters of the U.S." under the Clean Water Act and urges the Environmental Protection Agency and Army Corps of Engineers to finalize these important protections for our nation's water resources.

It is further recommended that staff convey the official action of the City on this matter to the U.S. Environmental Protection Agency.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

PSCR&EM – Your Committee recommends that the proper City officers be authorized to amend Contract No. C-37911 with Employee Strategies for provision of workplace culture/change management facilitation services at the Emergency Communications (911) Center, increasing by \$21,000, for a new not to exceed amount of \$115,000, and to extend the contact period to December 31, 2014.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

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

PSCR&EM & W&M – Your Committee recommends that the proper City officers be authorized to execute a rental agreement with Props on Wheels for their use of a Minneapolis Police Department Mobile Command Vehicle in a television show, for a fee of \$750.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

PSCR&EM & W&M – Your Committee recommends that the proper City officers be authorized to execute a contract agreement with Hennepin County for the Minneapolis Police Department to continue to provide police Detox Van services for 2015-17, with a 2015 contract amount of \$237,200.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame (1)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends passage of Resolution 2014R-439 adopting the assessments, levying the assessments, and adopting the assessment roll for the repair and construction of public sidewalks on the list of properties dated September 26, 2014.

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

RESOLUTION 2014R-439

By Reich

Adopting the assessments, levying the assessments, and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties dated September 26, 2014, as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office.

Whereas, preliminary to the public hearing, an Administrative Hearing was held to consider any objections or comments regarding unpaid charges for sidewalk repair and construction; and

Whereas, any changes in assessment amounts or repayment period ordered by the Administrative Hearing Officer were made to the assessment roll prior to the public hearing; and

Whereas, a public hearing was held on October 21, 2014, in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment roll dated September 26, 2014, as on file in the office of the

City Clerk and with the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties in the total amount of \$733,067.49 as shown on the proposed assessment roll dated September 26, 2014, as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office and reduced to \$686,882.79 due to payments received, are hereby adopted and levied.

Be It Further Resolved that the assessments of more than \$1500 be collected in ten (10) successive equal annual principal installments beginning on the 2015 real estate tax statements with interest.

Be it Further Resolved that the assessment for the property identified as PID 31-029-23-34-0085, at 2900 38th Ave S in the amount of \$791.80 be collected in ten (10) successive equal annual principal installments beginning on the 2015 real estate tax statements with interest as ordered by the Administrative Hearing Officer.

Be It Further Resolved that the assessments of more than \$150 up to \$1500 be collected in five (5) successive equal annual principal installments beginning on the 2015 real estate tax statements with interest.

Be It Further Resolved that the assessments of \$150 or less be collected in one (1) installment on the 2015 real estate tax statements with interest.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

T&PW - Your Committee recommends passage of Resolution 2014R-440 adopting the assessments, levying the assessments, and adopting the assessment roll for unpaid sidewalk snow and ice removal charges on the list of properties dated September 26, 2014.

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

RESOLUTION 2014R-440

By Reich

Adopting and levying the assessments and adopting the assessment roll for sidewalk snow and ice removal charges on the list of properties dated September 26, 2014, as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office.

Whereas, preliminary to the public hearing, an Administrative Hearing was held to consider any objections or comments regarding unpaid charges for removals of snow and ice from public sidewalks; and

Whereas, any changes in assessment amounts or repayment period ordered by the Administrative Hearing Officer were made to the assessment roll prior to the public hearing; and

Whereas, a public hearing was held on October 21, 2014, in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment roll on file in the office of City Clerk and with the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties on the list dated September 26, 2014, in the total amount of \$129,384.76 as shown on the proposed assessment rolls on file in the office of the City Clerk and with the City Engineer's Special Assessment Office and reduced to \$126,310.86 due to payments received, are hereby adopted and levied.

Be It Further Resolved that the assessments be collected in their entirety on the 2015 real estate tax statements with interest.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

T&PW - Your Committee recommends passage of Resolution 2014R-441 adopting the assessments, levying the assessments, and adopting the assessment roll for unpaid sanitary sewer service availability charges (SAC) on the list of properties dated July 7, 2014.

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

RESOLUTION 2014R-441

By Reich

Adopting the assessments, levying the assessments and adopting the assessment roll for sanitary sewer service availability charges (SAC) on the list of properties as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office.

Whereas, a public hearing was held on October 21, 2014, in accordance with Minnesota Statutes, Section 429.101 by authority of Minnesota Statutes, Chapter 473 to consider the proposed assessments as shown on the proposed assessment roll on file in the office of the City Clerk and with the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties on the 2014 SAC Fees list updated July 7, 2014, as on file in the office of the City Clerk and with the City Engineer's Special Assessment Office in the total amount of \$1,150 as shown on the proposed assessment roll on file in the office of the City Clerk is hereby adopted and levied.

Be It Further Resolved that the assessments be collected in their entirety on the 2015 real estate tax statements with interest charged at the rate of 5%.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

T&PW - Your Committee, having under consideration an application from 24th Mall LLC requesting a change in the alley alignment in the block located between Elliot Ave S and 10th Ave S and 22nd St E and 24th St E, legally identified as: Block 2, Chicago Avenue 2nd Addition to Minneapolis, now recommends that the proper City officers be authorized to accept and record an easement for alley purposes to replace a vacated alley in said block. 24th Mall LLC has delivered an executed Easement Deed at no cost to the City of Minneapolis.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

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

T&PW & W&M - Your Committee, having under consideration the LaSalle Ave Street Reconstruction Project, Special Improvement of Existing Street No. 2227, now recommends passage of the accompanying resolutions:

- a) Resolution 2014R-442 ordering the work to proceed and adopting special assessments for the project; and
- b) Resolution 2014R-443 requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds for the project.

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

**RESOLUTION 2014R-442
By Reich and Quincy**

**LASALLE AVE STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 2227**

Ordering the work to proceed and adopting the special assessments for the LaSalle Ave Street Reconstruction Project (12th St S to 8th St S).

Whereas, a public hearing was held beginning on May 13, 2014, and concluding on October 21, 2014, 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 2014R-104 passed March 28, 2014, 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 2014R-104 passed March 28, 2014.

Be It Further Resolved that the proposed special assessments in the total amount of \$553,704.13 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2016 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2016 real estate tax statements.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

**RESOLUTION 2014R-443
By Reich and Quincy**

Requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds in the amount of \$553,700 for the project.

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 improvements in the LaSalle Ave Street Reconstruction Project, Special Improvement of Existing Street No. 2227, 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.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee, having under consideration the Hay Northwest, Franklin Hall and Lyn Park Areas Street Resurfacing Project No. 5264 and having been informed that the assessment rolls that were produced for the project had an anomaly whereby various parcels were dropped from the summation of the assessment totals that were presented at the assessment public hearing held on May 13, 2014, now recommends passage of the accompanying resolutions:

- a) Resolution 2014R-444 amending Resolution 2014R-239, passed May 23, 2014, increasing the total assessment amount by \$27,756.84, for a revised total assessment of \$1,332,061.79 for the project; and
- b) Resolution 2014R-445 amending Resolution 2014R-240, passed May 23, 2014, to correct the total amount of assessment bonds to be sold for the project from \$1,304,305 to \$1,332,065.

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

RESOLUTION 2014R-444
By Reich and Quincy

Amending Resolution 2014R-239 entitled “Ordering the work to proceed and adopting the special assessments for the Hay Northwest, Franklin Hall and Lyn Park Areas Street Resurfacing Project No. 5264”, passed May 23, 2014.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows in order to correct an error which caused various parcels to be dropped from the summation of the assessment totals that were presented at the assessment public hearing held on May 13, 2014:

Whereas, a public hearing was held on May 13, 2014, 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 2014R-102, passed March 28, 2014, 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 2014R-102, passed March 28, 2014.

Be It Further Resolved that the proposed special assessments in the total amount of ~~\$1,304,304.86~~ \$1,332,061.79 for the Hay Northwest, Franklin Hall and Lyn Park Areas Street Resurfacing Project No. 5264, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2015 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same

rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to be on the 2015 real estate tax statements.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

RESOLUTION 2014R-445
By Reich and Quincy

Amending Resolution 2014R-240 entitled “Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,304,305 for certain purposes other than the purchase of public utilities”, passed May 23, 2014.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows in order to correct an error which caused various parcels to be dropped from the summation of the assessment totals that were presented at the assessment public hearing held on May 13, 2014:

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of ~~\$1,304,305~~ \$1,332,065 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 costs of street improvements in the Hay Northwest, Franklin Hall and Lyn Park Areas Street Resurfacing Project, Special Improvement of Existing Street No. 5264, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee recommends that the proper City officers be authorized to execute an amendment to Contract C-38406 with the Metropolitan Council for the 2013 Clean Water Fund Inflow and Infiltration Grant agreement, increasing the contract by \$56,230.56, for a revised contract total of \$80,393.76, to provide property owners with financial assistance for repairs to private sewer services.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 10/31/2014.

(Published 11/4/2014)

T&PW & W&M - Your Committee, having under consideration the Van White Bridges and Roadway Project connecting Dunwoody Blvd to Fremont Ave N through the current City Impound Lot, now recommends that the proper City officers be authorized to execute Amendment No. 1 to Contract No. C-35296 with Edward Kraemer and Sons, Inc., increasing the contract by \$32,416.28, for a revised contract total of \$11,742,288.95, and extending the contract to December 31, 2014, to allow for payment for additional work performed as part of the federal project.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee, having under consideration the Nicollet Mall Redesign and Reconstruction Project, now recommends:

a) That the proper City officers be authorized to negotiate and execute a contract with SEH in an amount not to exceed \$2,400,000 for preconstruction and construction management services for the project; and

b) That the proper City officers be authorized to negotiate and execute a contract with Shenehon in an amount not to exceed \$60,000 for assessment calculation for the project.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

W&M - Your Committee recommends passage of Resolution 2014R-446 authorizing settlement of legal matters, as recommended by the City Attorney.

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

RESOLUTION 2014R-446

By Quincy

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following claim by Zenebe Tessma by payment of \$9,000 to Mr. Tessma and his attorney, Mark A. Karney from Fun/Org. 6900- 1500100-145400.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to:

a) Consent to the selection of Dorsey & Whitney LLP (the "Firm") to serve as bond counsel to the City for the issuance of Health Care System Revenue Bonds (Allina Health System), Series 2014; and

b) Waive any conflict of interest arising out of the Firm's representation of Allina Health System, MUFG Union Bank, and the African Development Center in matters unrelated to this transaction or other matters.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to:

a) Consent to the selection of Stinson Leonard Street (the "Firm") to serve as bond counsel for the City or Minneapolis Community Development Agency for the issuance of 501(c)(3) Bank Qualified Bank Direct Tax-exempt Minneapolis Community Development Agency Revenue Bonds for Stone Bridge Building Company; and

b) Waive any conflict of interest between the City of Minneapolis or the Minneapolis Community Development Agency and the Firm arising out of the Firm's representation of entities in matters unrelated to this transaction.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to execute a two year agreement with Center for Energy and Environment for Building Benchmarking and Disclosure, funded through a grant from the McKnight Foundation, for building owner and manager technical assistance and outreach resources and support for City activities including data analysis, coordination with information technology processes and ordinance compliance activities.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officers be authorized to accept a grant in the amount of \$38,220 from the Minneapolis Pollution Control Agency to promote the use of ENERGY STAR certification in commercial building by combining an incentive program with its existing commercial energy benchmarking ordinance.

Further, passage of Resolution 2014R-447 appropriating \$38,220 to the Office of the City Coordinator.

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

RESOLUTION 2014R-447

By Quincy

Amending The 2014 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Office of the City Coordinator (01600-8400200) by \$38,220 and increasing the revenue source (01600-8400200-372001) by \$38,220.

On roll call, the result was:

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

Noes: (0)

The report and resolution were adopted.

W&M - Your Committee recommends that the proper City officers be authorized to execute Information Technology Staff Augmentation Consulting Pool contracts with the following selected vendors, for a term of three years, including the option to extend one additional year to provide Information Technology staff augmentation services:

22nd Century	Hollstadt	Mindlance	SafeNet
Abacus	HyperGen	Modis	Sage Group
Ardent	Iceberg	NetMatrix	SDK Technical
Baker IT	Ideal Systems Solutions	Nighthawk Marketing	Select Computing
ClarusTec	iLynx	Northshore Resources	Select Source International
Collier IT	innoSoul	On Demand	Software People, Inc.
Connvertex	InTech	RADgov	Sogeti
Dahl Consulting	IPCS	RamSoft	Talent Technical
Deltawrx	Istonish	Randstad	TC Solutions
Elert & Assoc	IT Trailblazers	RCM Technologies	TeamSoft
Enclipse	Konnect Prime	REMY	Technology Resources Services
ERP Analysts	Labyrinth	Revamp Consulting	USM Business Systems
Flexion	Latitude Group	RK Consultancy	
GlobalSource	Macro Group	Robert Half	

Further, that the proper City officers be authorized to execute contracts with the above selected vendors in an amount totaling \$2,500,000, with each individual contract scope not exceeding \$500,000.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M – Your Committee recommends that the proper City officers be authorized to amend contract C-37823 with Third Wave Partnership LLC as follows:

- a) Extend said contract for business function support for Minneapolis 311 upgrade and refresh.
- b) Increase the contract in the amount of \$45,000 for a not-to-exceed total of \$95,000.
- c) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M – Your Committee recommends that the proper City officers be authorized to amend contract C-37470 with Environmental Systems Research Institute (Esri) as follows:

a) Extend said contract for business function support for professional services for a one-year term through November 7, 2015, for continued procurement of services for the following projects currently utilizing the following Geographical Information Systems (GIS) applications:

1. Geodatabase conversion for Public Works
2. Enterprise Land Management System
 - Application development for Redistricting
 - Application development for Boundary editor
 - Integration services
3. Asset management integration into the Maximo system
4. Geodatabase replication services (currently in-flight)
5. Open Data.

b) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M – Your Committee recommends that the proper City officers be authorized to amend contract C-21288 with the State of Minnesota (State), Department of Administration, InterTechnologies Group, for the network support and maintenance of the Automated Pawn System (APS) as follows:

- a) Extend said contract for a term of three years through June 30, 2017.
- b) Increase the contract in the amount of \$400,000 for a not-to-exceed total of \$1,065,000.
- c) Update Terms and Conditions to reflect current standards.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M – Your Committee recommends passage of the accompanying resolutions approving terms of the collective bargaining agreements with the following:

- a) Resolution 2014R-448 relating to the Police Officers Federation of Minneapolis, for a term of one year (Wage reopener only) effective January 1, 2014, through December 31, 2014.
- b) Resolution 2014R-449 relating to the Minneapolis Professional Employees Association, for a term of 36 months, effective January 1, 2014, through December 31, 2016.

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

RESOLUTION 2014R-448

By Quincy

Approving the terms of a collective bargaining agreement with the Police Officers Federation of Minneapolis and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Police Officers Federation of Minneapolis, be approved.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

OCTOBER 31, 2014

RESOLUTION 2014R-449
By Quincy

Approving the terms of a collective bargaining agreement with the Minneapolis Professional Employees Association, and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis Professional Employees Association, be approved.

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

On roll call, the result was:

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

Noes: (0)

The resolution was adopted.

W&M – Your Committee recommends that the proper City officers be authorized to execute a contract with Wells Fargo Bank for the provision of banking services for a three-year period with the City's option to extend for two additional one-year periods.

Your Committee further recommends approval of the following staff direction:

a) Work with Wells Fargo to develop a mutually beneficial framework of community reinvestment principles and goals, consistent with the Responsible Banking Ordinance, and report on progress by July 1, 2015.

b) Develop a framework and goals for community benefits to be included in the Request for Proposals for the Stored Value Card and Smart Safe services and the credit card processing.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

W&M – Your Committee recommends that the proper City officers be authorized to execute a contract with OpenGov for the provision of web hosting and display of City financial data for a two-year period in an amount not to exceed \$50,000 with certain modifications to the term contained in the Standard Agreement for Professional Services.

On roll call, the result was:

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

Noes: (0)

The report was adopted.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee, having under consideration an appeal filed by Adam Lerner, on behalf of Martin Investments Limited Partnership, associated with three conditions of approval from the Heritage Preservation Commission granting after-the-fact approval for unpermitted window replacement as well as replacement of additional windows at the existing building located at 241 1st Ave N in the Warehouse Historic District, now recommends that said appeal be denied and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

On roll call, the result was:

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

Noes: Warsame (1)

The report was adopted.

RESOLUTIONS

Resolution 2014R-450 declaring November 17, 2014, to be March of Dimes Prematurity Awareness Day in the City of Minneapolis was adopted.

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

RESOLUTION 2014R-450

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

Declaring November 17, 2014, to be March of Dimes Prematurity Awareness Day in the City of Minneapolis.

Whereas, the March of Dimes Foundation is a pioneer in improving the health of infants and women of childbearing age by preventing premature birth, birth defects and infant mortality; and

Whereas, the March of Dimes was founded by President Franklin D. Roosevelt in 1938 to fight polio, and funded the development of two vaccines – still in use today – that virtually eliminated the crippling disease; and

Whereas, the March of Dimes in 1958, having achieved its initial mission, later shifted its attention from polio to finding the causes, treatments, and preventions of premature birth; and

Whereas, babies born just a few weeks early are at risk for developmental delays and medical problems; and

Whereas, 15 million babies worldwide, 4 million nationally, and approximately 7,000 in Minnesota are born premature each year; and

Whereas, the March of Dimes is dedicated to healthy babies and moms, setting a national goal of reducing preterm birth to 9.6 percent in every state by 2020, which will result in a healthier start in life for tens of thousands of infants; and

Whereas, the month of November is recognized as World Prematurity Awareness Month to bring about recognition of this global health crisis, and November 17 is recognized as Prematurity Awareness Day across the United States;

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

That the City Council declares this 17th Day of November, 2014, to be March of Dimes Prematurity Awareness Day in the City of Minneapolis and that the 35W Bridge be lit in purple on this day.

MOTIONS

On motion by Reich, seconded, the low bid received on Bid No. DS102314 submitted by Portable Barge Service, Inc., for an estimated expenditure of \$297,700, to furnish and deliver all labor, materials, equipment and incidentals necessary for critical repairs and remediation for the Pump Station #5 Scour Hole Remediation Project for the City of Minneapolis Public Works - Water Treatment and Distribution Division was accepted, all in accordance with City specifications.

UNFINISHED BUSINESS

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

Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability (amending regulations governing the placement of containers for household refuse).

Pursuant to notice, on motion by Reich, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Transportation & Public Works Committee:

Amending Title 17, Chapter 430 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Right of Way Permits (setting out specific permit requirements for dumpsters and storage containers obstructing the public right of way).

Pursuant to notice, on motion by Reich, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Transportation & Public Works Committee:

Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees (clarifying in connection with amendments to the right of way chapter that street use permits referred to in the building code are a form of obstruction permit).

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

Amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General (amending process for administrative hearings for business licenses).

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

Amending Title 1, Chapter 1 relating to General Provisions: In General (updating language to reflect changes indicated by Plain Language Charter Revision).

Pursuant to notice, on motion by B. Johnson and Glidden, seconded, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Committee of the Whole:

Amending Title 2 of the Minneapolis Code of Ordinances relating to Administration (updating language to reflect changes indicated by Plain Language Charter Revision):

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

Pursuant to notice, on motion by B. Johnson and Glidden, seconded, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Committee of the Whole:

Amending Title 9 of the Minneapolis Code of Ordinances relating to Fire and Police Protection (updating language to reflect changes indicated by Plain Language Charter Revision):

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

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

Amending Title 11, Chapter 214 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Health Department (updating language to reflect changes indicated by Plain Language Charter Revision).

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

Amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General (updating language to reflect changes indicated by Plain Language Charter Revision).

Pursuant to notice, on motion by B. Johnson and Glidden, seconded, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Committee of the Whole:

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks (updating language to reflect changes indicated by Plain Language Charter Revision):

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

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

Amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal: Water (updating language to reflect changes indicated by Plain Language Charter Revision).

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

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement (updating language to reflect changes indicated by Plain Language Charter Revision).

NEW BUSINESS

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 14 of the Minneapolis Code of Ordinances (amending the interior seating minimum for liquor establishments):

- a) Chapter 360 relating to Liquor and Beer: In General.
- b) Chapter 362 relating to Liquor Licenses.
- c) Chapter 364 relating to Liquor Regulations.

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

Casey Joe Carl,
City Clerk

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AUDIT:

STATE OF MINNESOTA (277645)

Office of State Auditor: City of Mpls Management and Compliance Report.

STATE OF MINNESOTA (277646)

Office of State Auditor: Mpls Park & Recreation Board Management and Compliance Report.

CLAIMS (See Rep):

RISK MANAGEMENT (277647)

1100 Nicollet Mall LLP, 1100 Nicollet Mall: Claim filed in the amount of \$20,387.97 relating to property damage.

RISK MANAGEMENT (277648)

Brenda Harris, 2225 Ilion Ave N, Mpls: Claim filed in the amount of \$893.51 relating to vehicle damage.

RISK MANAGEMENT (277649)

Damon Dunkel, 5152 Lyndale Ave S, Mpls: Claim filed in the amount of \$10,496.72 relating to property damage.

RISK MANAGEMEN (277650)

James Bussmann, 4026 Blaisdell Ave S, Mpls: Claim filed in the amount of \$202.16 relating to vehicle damage.

RISK MANAGEMEN (277651)

Jeanne LaBore, 4825 29th Ave S, Mpls: Claim filed in the amount of \$138.00 relating to a towed vehicle.

RISK MANAGEMENT (277652)

Michelle Haddad, 3408 Stevens Ave S, Mpls: Claim filed in the amount of \$138.00 relating to a towed vehicle.

COMMITTEE OF THE WHOLE (See Rep):

CITY CLERK (277653)

2015 Council and Standing Committee Meeting Calendar.

HUMAN RESOURCES (277654)

Smoke Free Environment Policy.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES:

GRANTS AND SPECIAL PROJECTS (277655)

2015-19 Consolidated Plan Five Year Strategy Needs: Initial community and stakeholder input on community needs.

REGULATORY SERVICE (277656)

Nuisance Condition Process Review Panel Recommendation (garage at 3118 Park Ave): Recommendation to uphold the Director's Order to Raze and demolish the garage.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277657)

Allocation of 2015 Low Income Housing Tax Credits: Preliminarily reserve of Year 2015 Federal Low Income Housing Tax Credits totaling \$1,417,737 for the following g projects: Opportunity Housing Partnership Preservation, 706 1st Ave N, 66 12th St S, 1801 LaSalle Ave (\$353,477); Anishinabe Bi Gii Wiin, 1600 19th St E (\$692,572); and Marshall Flats-Clare Housing, 2525 2nd St S (\$371,688).

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277658)

Baraka Place Mixed-Use Project (726 & 730 E Franklin Ave and 1913, 1919 & 1929 Columbus Ave S): Granting Exclusive Development Rights to Baraka Plaza, LLC for 24 months on five (5) City-owned parcels.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277659)

City's Neighborhood Stabilization Program 2 (NSP2) Consortium Agreements with the City of Brooklyn Park and Hennepin County: Execution of an amendment to the NSP2 Consortium Agreement between the City of Minneapolis and the City of Brooklyn Park (C-27657) to extend the contract expiration date for three years; and execution of an amendment to the NSP2 Consortium Agreement between the City of Minneapolis and Hennepin County (C-27656) to extend the contract expiration date for three years.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277660)

Hawthorne EcoVillage Apartments Project (617 Lowry Ave N, 3110 & 3116 Lyndale Ave N and 3113 and 3117 6th St N): Extension of Exclusive Development Rights to Project for Pride in Living for 24 months on five (5) City-owned parcels.

COMMUNITY PLANNING & ECONOMIC DEVELOPMEN (277661)

Stonebridge World School (4530 Lyndale Ave S): Resolution giving preliminary and final approval to the issuance of up to \$2,805,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency Revenue Bonds, Series 2014 for Stonebridge Building Company, an affiliated building company for Stonebridge World School.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277662)

Symphony Place Apts (1117 Marquette Ave): Resolution authorizing a 5-year extension of maturity date on Symphony Place Project Series 1987 Housing Development Revenue Refunding Bonds.

LICENSES AND CONSUMER SERVICES (277663)

La Que Buena (1609-11 Lake St E): License Settlement Conference recommendations relating to On Sale Liquor License.

LICENSES AND CONSUMER SERVICES (277664)

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

REGULATORY SERVICES (277665)

Rental Dwelling License (1422 Golden Valley Rd - Owner, Morris Klock): Recommendation to re-instate license.

REGULATORY SERVICES (277666)

Rental Dwelling License (3430 Newton Ave N - Owner, Andrew Merande): Revocation of license.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277667)

2014 Affordable Housing Trust Fund (AHTF) Project Recommendations.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277668)

Fall 2014 Brownfield Grant Round: Resolutions Authorizing grant applications to the Minnesota Department of Employment and Economic Development Contamination Cleanup and Investigation Grant Program; Authorizing grant applications to the Metropolitan Council's Tax Base Revitalization Account Grant Program; and Authorizing grant application to the Hennepin County Environmental Response Fund.

COMMUNITY PLANNING & ECONOMIC DEVELOPMEN (277669)

West Broadway Education and Career Center (800 W Broadway and 2019 Aldrich Ave N): Resolutions Approving the 800 West Broadway Tax Increment Financing (TIF) Plan, Modification No. 10 to the West Broadway Redevelopment Plan and Modification No. 124 to the Common Plan; Approving the acquisition of 800 W Broadway from Hennepin County-Tax Forfeited Land and simultaneous disposition to Sherman Associates, Inc's single asset entity 800 West Broadway LLC for \$50,000; Authorizing the issuance of a Limited Revenue Pay-As-You-Go TIF Note to 800 West Broadway LLC in a principal amount not to exceed \$500,000; with related actions.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):

HEALTH DEPARTMENT (277670)

Grocery Stores and Specialty Food Stores: a) Ordinance amending provisions related to staple food requirements and specialty food store exemptions; and b) Comments.

HEALTH DEPARTMENT (277671)

Short-Term Food Permits: a) Ordinance amending provisions related to Event Sponsor Permits and Short-Term Permit requirements; b) Amend fee schedule; and c) Comments.

INTERGOVERNMENTAL RELATIONS (See Rep):

INTERGOVERNMENTAL RELATION (277672)

City of Minneapolis FY2015 Federal Policies Agenda: Amending agenda to include language relating to Waters of the United States.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS (See Rep):

INTERGOVERNMENTAL RELATIONS (277673)

City of Minneapolis FY2015 Federal Policies Agenda: Amending agenda to include language relating to Combatting Antibiotic-Resistant Bacteria.

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

EMERGENCY COMMUNICATIONS CENTER (ECC) (277674)

Employee Strategies Contract: Amendment to Contract No. C-37911 with Employee Strategies for provision of workplace culture/change management facilitation services at the Emergency Communications (911) Center, increasing by \$21,000 & extending to December 31, 2014.

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

POLICE DEPARTMENT (277675)

2015-2017 Detox Van Services: Authorize contract agreement with Hennepin County for Mpls Police Department to continue to provide police Detox Van services for 2015-17, with a 2015 contract amount of \$237,200.

POLICE DEPARTMENT (277676)

Police Mobile Command Vehicle Rental: Authorize rental agreement with Props on Wheels for their use of a Police Department Mobile Command Vehicle.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (277677)

One-Sort Recycling Program: Update.

PUBLIC WORKS AND ENGINEERING (277678)

Walking Routes for Youth Maps Release: Update.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (277679)

Alley Easement: Agreement with 24th Mall LLC for alley between Elliot and 10th Ave S and 22nd and 24th St E.

PUBLIC WORKS AND ENGINEERING (277680)

Sanitary Sewer Service Availability Charges (SAC): Assessment public hearing.

PUBLIC WORKS AND ENGINEERING (277681)

Sidewalk Repair and Construction: Assessment public hearing.

PUBLIC WORKS AND ENGINEERING (277682)

Snow and Ice Removal from Public Sidewalks: a) Assessment public hearing; and b) Comments.

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

PUBLIC WORKS AND ENGINEERING (277683)

Clean Water Grant Fund Program: Increase contract with Metropolitan Council for financial assistance to property owners for repairs to private sewer services.

PUBLIC WORKS AND ENGINEERING (277684)

Hay Northwest, Franklin Hall, and Lyn Park Areas Street Resurfacing Project No. 5264: Amend Resolutions 2014R-239 and 2014R-240 to increase total assessment amount.

PUBLIC WORKS AND ENGINEERING (277685)

LaSalle Ave Street Reconstruction Project No. 2227: Assessment public hearing.

PUBLIC WORKS AND ENGINEERING (277686)

Nicollet Mall Redesign and Reconstruction Project: a) Contract with SEH for preconstruction and construction management services; and b) Contract with Shenehon for assessment calculation.

PUBLIC WORKS AND ENGINEERING (277687)

Van White Memorial Boulevard Bridges and Roadway Project: Contract amendment with Edward Kraemer and Sons, Inc.

WAYS AND MEANS (See Rep):

ATTORNEY (277688)

Conflict of Interest Waiver for Legal Services: a) Approving of Dorsey & Whitney LLP to serve as bond counsel to the City for the issuance of Health Care System Revenue Bonds (Allina Health System), Series 2014; and b) Waiving any conflict of interest arising out of the firm's representation of Allina Health System, MUFJ Union Bank, and the African Development Center in matters unrelated to this transaction or other matters.

ATTORNEY (277689)

Conflict of Interest Waiver for Legal Services: a) Approving selection of Stinson Leonard Street to serve as bond counsel for the City or Minneapolis Community Development Agency (MCDA) for the issuance of 501(c)(3) Bank Qualified Bank Direct Tax-exempt MCDA Revenue Bonds for Stone Bridge Building Company; and b) Waiving any conflict of interest between the City of Minneapolis or the MCDA and the Firm arising out of the Firm's representation of entities in matters unrelated to this transaction.

ATTORNEY (277690)

Legal Settlement: Zenebe Tessma v. City of Minneapolis, \$9,000.

COORDINATOR (277691)

Building Benchmark and Disclosure Contract: Execute a two-year agreement with Center for Energy and Environment for Building Benchmarking and Disclosure funded through a grant from the McKnight Foundation.

COORDINATOR (277692)

Minneapolis Pollution Control Agency (MPCA) Grant: Accepting grant (\$38,220) from the MPCA for promoting the use of ENERGY STAR certification in commercial buildings; and approving appropriation to the City Coordinator's Office.

EXECUTIVE COMMITTEE (277693)

Labor Negotiation: Minneapolis Professional Employees Association.

EXECUTIVE COMMITTEE (277694)

Labor Negotiation: Police Officer's Federation of Minneapolis.

FINANCE DEPARTMENT (277695)

Banking Services Contract: Execute contract with Wells Fargo Bank for provision of banking services; and approving the following staff direction: a) Work with Wells Fargo to develop a mutually beneficial framework of community reinvestment principles and goals, consistent with the Responsible Banking Ordinance, and report on progress by July 1, 2015. b) Develop a framework and goals for community benefits to be included in the Request for Proposals for the Stored Value Card and Smart Safe services and the credit card processing.

FINANCE DEPARTMENT (277696)

Financial Data Online Access: Execute contract with OpenGov for provision of web hosting and display of City financial data for a two-year period (\$50,000).

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277697)

Automated Pawn System (APS): a) Extend of contract for network support and maintenance of APS, b) Increase contract (\$400,000), and c) Update Terms and Conditions to reflect current standards.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277698)

Environmental Systems Research Institute (Esri) Professional Services: a) Extend contract for information technology professional services for a one-year term through November 7, 2015, and b) Update the Terms and Conditions to reflect current standards.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277699)

Information Technology Staff Augmentation Consulting Pool: Execute consulting pool contracts totaling \$2,500,000 for a term of three years, with each individual contract not exceeding \$500,000.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277700)

Minneapolis 311 Upgrade and Refresh: a) Extend contract with Third Wave for six months, b) Increase contract by \$45,000, and c) Update Terms and Conditions to reflect current standards.

ZONING AND PLANNING:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277701)

206 Ontario St SE interim use permit for a temporary telecommunications mast.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277702)

2001 University Ave SE interim use permit for temporary telecommunications mast.

OCTOBER 31, 2014

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (277703)

Lerner Building, 241 1st Ave N, appeal filed by Adam Lerner of three conditions of approval for a Certificate of Appropriateness.

Official Posting: 11/7/2014