

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF JULY 20, 2007

(Published July 28, 2007, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

July 20, 2007 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Hodges, Samuels, Gordon, Hofstede, Ostrow, Lilligren, Glidden, Remington, Benson, Goodman, President Johnson.

Absent – Council Members Schiff, Colvin Roy.

Lilligren moved adoption of the agenda. Seconded.

Glidden moved to amend the agenda to include a motion introducing the subject matter of an ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to Administration, by adding a new Chapter 39 relating to protection of displaced workers. Seconded.

Adopted by unanimous consent 7/20/2007.

Absent – Gordon, Schiff, Colvin Roy.

Samuels moved to amend the agenda to include a motion introducing the subject matter of an ordinance amending Appendix J of the Minneapolis Code of Ordinances relating to *License Fees Schedule* relating to license fees. Seconded.

Adopted by unanimous consent 7/20/2007.

Absent – Gordon, Schiff, Colvin Roy.

Johnson moved to amend the agenda to include a resolution to assist employees affected by the potential sale of City Municipal Parking Ramps. Seconded.

Adopted by unanimous consent 7/20/2007.

Absent – Gordon, Schiff, Colvin Roy.

Lilligren moved to amend the agenda to consider out of order a motion and resolution relating to the Minneapolis Sesquicentennial. Seconded.

Adopted by unanimous consent 7/20/2007.

Absent – Gordon, Schiff, Colvin Roy.

Benson moved adoption of the agenda, as amended. Seconded.

Adopted upon a voice vote 7/20/2007.

Absent – Gordon, Schiff, Colvin Roy.

Lilligren moved acceptance of the minutes of the regular meeting of June 29, 2007 and the adjourned session held June 29, 2007. Seconded.

Adopted upon a voice vote 7/20/2007.

Absent – Gordon, Schiff, Colvin Roy.

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

Adopted upon a voice vote 7/20/2007.

Absent - Gordon, Schiff, Colvin Roy.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272126)

Land Sale: 2912-16th Ave S.

EXECUTIVE COMMITTEE (272127)

Director of Department of Community Planning & Economic Development & Executive Director of Mpls Community Development Agency: Nomination of the Mayor of Mike Christenson to fill unexpired term of Lee Sheehy.

COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS and W&M/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (272128)

Sale of City-Owned Parking Ramps: St Anthony Ramp, 210-2nd Ave SE; Centre Village Municipal Ramp, 700-5th Ave S; Downtown East Municipal Ramp, 425 Park Ave S; Federal Courthouse Municipal Ramp (leasehold interest only), 333-3rd Ave S; Gateway Municipal Ramp, 400 S 3rd St; Loring Municipal Ramp, 1330 Nicollet Mall; Seven Corners Municipal Ramp, 1504 Washington Ave S.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272129)

MDI Limited Partnership #64 (re Minnehaha Apartments, 5341, 5345 & 5359 Minnehaha Ave): Approving Minnehaha Avenue Apartments Redevelopment Plan; Supplemental request for Affordable Housing Trust Fund Loan.

Midtown Global Market: Accept & appropriate funds awarded by Hennepin County for operation of validated parking system.

NorthWay Community Trust: Empowerment Zone grant to execute contract for administration of Northside Economic Opportunity Network.

HEALTH, ENERGY AND ENVIRONMENT:

COORDINATOR (272130)

Community Climate Change Micro Grants: Update regarding Mobilizing Citizens for Grassroots Climate Change micro grants.

HEALTH AND FAMILY SUPPORT SERVICES (272131)

Steps to a Healthier Minneapolis: Presentation regarding efforts to increase access to high quality foods in low-income neighborhoods.

TREE ADVISORY COMMISSION (272132)

2007 Annual Report of the Tree Advisory Commission.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272133)

Private Industry Workforce Council: Approve Mayoral appointments of Karen Gallivan, Jenny Leabo, Judi Nevenon and Mark Tessmer; and Mayoral re-appointments of Sharon Bredeson, Obie Kipper, Harvey Rucker, Craig Vana, Joe Werner, Jon Westby and Todd Wood.

HEALTH AND FAMILY SUPPORT SERVICES (272134)

Public Health Advisory Committee: Council appointment of David J. Therkelsen and Mayoral appointment of Clarence Jones.

HEALTH, ENERGY AND ENVIRONMENT and PUBLIC SAFETY AND REGULATORY SERVICES

(See Rep):

CITY COUNCIL (272135)

Zoning Code Text Amendment:

Lead Reduction: Ordinance amending Title 20, Chapter 240 of the Minneapolis Code of Ordinances relating to Housing: Lead Poisoning Prevention and Control, adding a new Section 240.100 requiring persons performing or supervising remedial interior paint repair in rental dwellings to be certified in lead safe work practices.

Resolution:

Lead Reduction: Promoting lead safe work practices among Minneapolis rental property and home owners.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (272136)

Commercial Container (3516 E Lake St): Grant Solid Waste Hauler License, with conditions.

Nicollet Family Dollar & Halal Meat Market (2805 Nicollet Av): Grant Grocery License, with conditions.

Waldo's Bar and Grill (4601 Lyndale Av N): Deny renewal of On-Sale Liquor Class E with Sunday Sales License.

LICENSES AND CONSUMER SERVICES (272137)

Licenses: Applications.

REGULATORY SERVICES (272138)

Property at 2842 31st Av S: Recommend uphold Director of Inspections' Order to Demolish the building, to be stayed until June 7, 2007 to allow for rehabilitation plan.

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

FIRE DEPARTMENT (272139)

Donation to Fire Department: Accept donation of exercise equipment.

Fire Department Health Fair: Accept low bid from Med-Compass to provide mandatory annual health testing for firefighters; and Develop agreement for optional tests.

POLICE DEPARTMENT (272140)

Policing Services at Public Housing Locations: Contract with Minneapolis Public Housing Authority.

Police Chaplain Services: Three-year contract with Minneapolis Police Chaplain Corps.

POLICE DEPARTMENT (272141)

Program Analysis Center Grant: Grant agreement with Minnesota Department of Public Safety for Police Department consultant/planner to work with Minnesota/Dakotas Analysis Center.

Internal Affairs Audit: Request to Issue Request for Proposals for external audit.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (272142)

Traffic Zones, Restrictions, and Controls: 2007 2nd Quarter report.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (272143)

The Village Multi-Cultural Art Fair: Approve large block event permit.

Section Survey Corner Monuments: Memorandum of Understanding with Hennepin County to reestablish monuments.

Northeast Diagonal Trail Project: Accept permanent easement from ERP Stinson Associates, LLC.

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

PUBLIC WORKS AND ENGINEERING (272144)

Lynnhurst (Phase III) Street Renovation: Assessment public hearing and order work to proceed.

Mid-City Street Reconstruction: Assessment public hearing and order work to proceed.

Benjamin St NE Safety Project: Accept funds from Canadian Pacific Railway for closing railroad crossing.

Sub-Grant Agreement: Accept up to \$38,000 from Shingle Creek Watershed Management Commission.

Keep America Beautiful Grant: Accept \$2,500 for Cigarette Litter Prevention Program.

SAFETEA-LU New Freedom Program: Submit application for federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) funds.

Bid: OP 6823, LBP Mechanical, Inc., for cast iron drain pipe.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (272145)

Special Compensation Fund: 1st half 2007 Assessments.

Capital Long-Range Improvement Committee (CLIC): 2008-2012 CLIC recommendations.

Technology Investment Funding Plan Report.

FIRE DEPARTMENT (272145.1)

June 2007 Budget Status Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (272146)

Legal Settlements: Keith Douglas King, Carolyn Rose Thomas, Hector Lopez-Martinez, Aminia Birimbir, and Wence Ledell Edwards.

Legal Fees: Officers Jason King and Lawrence Loonsfoot.

Selection of Bond Counsel: Execute contracts with Kennedy & Graven, and Gray Plant Mooty.

BUSINESS INFORMATION SERVICES (BIS) (272147)

USI Wireless Contract: Increase contract C-23781 for network services and related equipment.

Unisys Contract: Increase contract C-18881 for PeopleSoft Enterprise Learning Management (ELM) Module.

Multifunctional Digital Copiers: Low bid of Toshiba Business Solutions.

COMMUNICATIONS (272148)

August 2007 Utility Billing Insert: Recycling Tips.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272149)

KMOJ Radio/Center for Communication and Development: EZ Grant to redevelop the Delisi Building located at 2119 West Broadway.

COORDINATOR (272150)

Xcel Energy: Donation of compact fluorescent light bulbs.

2007 Charitable Campaign: Eight Charitable Campaign Federations to participate.

FINANCE DEPARTMENT (272151)

Financial Services Consultant Panel: RFP.

HUMAN RESOURCES (272152)

New Appointed Position: Director, Minneapolis Fire Department Finance and Logistics.

Minneapolis Compensation Philosophy: Adopt; Rescind Resolution 2003R-013; and Replace current wage policy for fiscal year 2008 and beyond.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (272153)

Appeal:

T-Mobile Wireless, 414 7th Ave SE (re Andrews House at 706-08 5th St SE): Re decision of the

Heritage Preservation Commission re application for Certificate of Appropriateness to allow the construction of a cellular installation on the roof of the Andrews House Apartment building.

INSPECTIONS/BOARD OF ADJUSTMENT (272154)

Appeal:

Thomas and Anna Marie Erbes (4737 Blaisdell Ave): Re decision of Zoning Board of Adjustment denying application for variances for a 2-story detached garage.

PLANNING COMMISSION/DEPARTMENT (272155)

Vacation:

Brakins Homes (vicinity of 908-920 Washburn Ave N): Vacate drainage and utility easements for a previously approved 7-unit cluster development.

Rezoning:

2601 Lyndale Ave Condos (2601 and 2607 Lyndale Ave S): Property located at 2607 Lyndale Ave S.

Salle McDaniel (3050 18th Ave S).

COMMITTEE OF THE WHOLE:

COORDINATOR (272156)

Minneapolis Sesquicentennial (July 18 - 27, 2008): Timeline.

COUNCIL MEMBER JOHNSON (272157)

Sale of City-Owned Parking Ramps: a) Correspondence to and from Robert C. Lux, Alatus Partners; and b) Correspondence from John V. Rimarcik, St. Anthony Ramp LLC.

FILED:

MINNESOTA STATE OFFICES-State Auditor (272158)

Park & Recreation Board management & compliance report for year ended December 31, 2006.

DIETRICH, SARAH (272159)

29th Ave S, 3033 1/2, vacate PW right-of-way.

GARMAN, DENNIS (272160)

40th St W, 115 (Dennis Garman) Correspondence re property.

LA HACIENDA PLAZA CONDOMINIUM ASSOCIATION (272161)

Vacate alley bounded by E Lake St, 29th St E, Clinton Ave S and 4th Ave S.

LUXOR PROPERTIES, LLC (272162)

4652 & 4654 Russell Ave N, vacate the alley.

NSP/XCEL ENERGY (272163)

Utility Pole Installation on E 62nd St from 2nd Av S to 4th Av S.

Utility Pole Relocation at 6109 1st Av S.

SCHAEFER RICHARDSON INC. (272164)

5th St. N, 420, vacate parking lot portion.

The following reports were signed by Mayor Rybak on July 24, 2007, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends concurrence with the Mayor's nomination and approval by the Executive Committee of the appointment of Michael Christenson to serve as Director of the Department of Community Planning & Economic Development, and as Executive Director of the Minneapolis Community Development Agency (MCDA), filling the unexpired term of Lee Sheehy, which expires January 2, 2008.

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

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2912 - 16th Ave S to AA Contracting, Inc for \$30,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-340, authorizing sale of land Vacant Housing Program Disposition Parcel No VH-111 at 2912 - 16th Ave S, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-340

By Goodman

Authorizing sale of land Vacant Housing Program Disposition Parcel No VH-111 at 2912 - 16th Avenue South.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-111, in the East Phillips neighborhood, from AA Contracting, Inc., hereinafter known as the Redeveloper, the Parcel VH-111, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION for VH-111; 2912 16th Avenue South: Lot 4, Block 4, Allan and Anderson's Addition; and

Whereas, the Redeveloper has offered to pay the sum of \$30,000, for Parcel VH-111 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 29, 2007, a public hearing on the proposed sale was duly held on July 10, 2007, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Vacant Housing Program plan, as amended, is hereby estimated to be the sum of \$30,000 for Parcel VH-111.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

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

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

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

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

The COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS AND WAYS & MEANS/BUDGET Committees submitted the following report:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the sale of City-owned parking ramps, now forwards without recommendation the following staff recommendations of the Departments of Public Works, Finance and Community Planning & Economic Development:

a) Passage of the accompanying resolution authorizing the sale of the St Anthony Municipal Ramp, 210 2nd Ave SE (PID#: 2302924130628), to St Anthony Ramp LLC or an affiliate(s) thereof, for \$2,525,000 and other considerations as set forth therein, and that the proper City officers be directed to negotiate a purchase agreement with St Anthony Ramp LLC or an affiliate thereof, and further, to execute the necessary documents to complete the sale transaction;

b) Passage of the accompanying resolution authorizing the sale of the following six City-owned parking ramps to Alatus Partners LLC or an affiliate(s) thereof for \$69,250,000 and other considerations: Centre Village Municipal Ramp (700 5th Ave S, PID#: 2602924220091); Downtown East Municipal Ramp (425 Park Ave S, PID#: 2602924210099 & 2602924210098); Federal Courthouse Municipal Ramp—leasehold interest only (333 3rd Ave S, PID#: 2302924330876); Gateway Municipal Ramp (400 S. 3rd St, PID#: 2302924340051); Loring Municipal Ramp (1330 Nicollet Mall, PID#: 2702924240178);

Seven Corners Municipal Ramp (1504 Washington Ave S, PID#: 2502924220344), and that proper City officers be directed to negotiate a purchase agreement with Alatus Partners LLC or an affiliate(s) thereof; and further, to execute the necessary documents to complete the sale transaction;

c) Passage of the accompanying resolution authorizing the sale of the Riverfront Municipal Ramp, 212 - 9th Ave S (PID#: 2302924430196) to Guthrie Theater Foundation, or an affiliate(s) thereof, for \$16,500,000 and other considerations or to Alatus Partners LLC or an affiliate(s) thereof for \$16,000,000, if closing does not occur with Guthrie Theater Foundation by March 1, 2008, and that the proper City officers be directed to negotiate a purchase agreement with Guthrie Theater Foundation or an affiliate(s) thereof or to Alatus Partners LLC or an affiliate(s) thereof in the alternative; and further, to execute the necessary documents to complete the sale transaction;

d) Delegate authority to the CPED Director and Finance Officer to implement the sale transactions as described in the terms contained in the staff report as Exhibit I;

e) Direct the proper City officers to deposit the sale proceeds in the Parking Fund (7500 fund) and use sale proceeds as set forth in the staff report.

Goodman moved that the report be amended by deleting the language, "forwards without recommendation" and inserting in lieu thereof, "recommends approval of." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-341, authorizing execution of a Purchase Agreement and related documents for sale of the St. Anthony Municipal Parking Ramp at 201 - 2nd Ave SE, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-341
By Goodman, Colvin Roy and Ostrow

Authorizing execution of a Purchase Agreement and related documents for sale of the St. Anthony Municipal Parking Ramp at 201 - 2nd Avenue Southeast.

Whereas, the City owns the St. Anthony Municipal Parking Ramp at 201 - 2nd Avenue Southeast; and

Whereas, the City Engineer has determined that this parcel is not needed for City purposes; and

Whereas, St. Anthony Ramp, LLC has offered to enter into a Purchase Agreement with the City, agreeing to pay the City \$2,525,000 for the property; and

Whereas, the City Assessor has reported to the City Council on the fair market value of such property; and

Whereas, the City Planning Commission reviewed the sale on June 25, 2007, as to being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee and the Community Development Committee on July 10, 2007, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

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

That the proper City officers be authorized to execute a Purchase Agreement and related documents for sale of the land legally described as:

St. Anthony Ramp, 201 2nd Ave SE: Lot 2, Block 1 Dolly Fitterman Addition, according to the recorded plat thereof, Hennepin County, Minnesota. Abstract Property.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-342, authorizing execution of Purchase Agreements and related documents for sale of the following parking ramps: Centre Village Municipal Parking Ramp, 700 - 5th Ave S; Downtown East Ramp, 701 - 4th St S and 424 Chicago Ave S; Seven Corners Ramp, 1504 Washington Ave S; Loring Ramp, 14 Grant St W; Gateway Ramp, 400 - 3rd St S; and Federal Courthouse Municipal Ramp, 300 - 4th St S, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-342
By Goodman, Colvin Roy and Ostrow

Authorizing execution of Purchase Agreements and related documents for sale of the following parking ramps: Centre Village Municipal Parking Ramp, 700 - 5th Avenue South; Downtown East Ramp, 701- 4th Street South and 424 Chicago Avenue South; Seven Corners

Ramp, 1504 Washington Avenue South; Loring Ramp, 14 Grant Street West; Gateway Ramp, 400 - 3rd Street South; and Federal Courthouse Municipal Ramp, 300 - 4th Street South.

Whereas, the City owns the Centre Village Municipal Parking Ramp at 700 5th Avenue South, the Downtown East Ramp at 701 4th Street South and 424 Chicago Avenue South, the Seven Corners Ramp at 1504 Washington Avenue South, the Loring Ramp at 14 Grant Street West, the Gateway Ramp at 400 3rd Street South, and a leasehold interest in the Federal Courthouse Municipal Ramp at 300 4th Street South; and

Whereas, the City Engineer has determined that these parcels are not needed for City purposes; and

Whereas, Alatus Partners, LLC has offered to enter into a Purchase Agreement with the City, agreeing to pay the City \$69,250,000 for the properties, \$3,000,000 of which is allocated to the leasehold interest in the Federal Courthouse Municipal Ramp; and

Whereas, the City Assessor has reported to the City Council on the fair market value of such properties; and

Whereas, the Planning Commission reviewed the sale on June 25, 2007, as to being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee and the Community Development Committee on July 10, 2007, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

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

That the proper City officers be authorized to execute a Purchase Agreement and related documents for sale of the land legally described as:

Centre Village Ramp; 700 5th Avenue South: That part of the West Half of the Northwest Quarter of Section 26, Township 29, Range 24, Hennepin County, Minnesota, which lies below an elevation of 925.00 feet N.G.V.D. 1929 Sea Level Datum described as follows: Beginning at the intersection of the Southwesterly line of Seventh Street South with the Northwesterly line of Fifth Avenue South; thence Northwesterly along the Southwesterly line of Seventh Street South to a point which is 165.00 feet Southeasterly from its intersection with the Southeasterly line of Fourth Avenue South, as measured along said Southwesterly line of Seventh Street South; thence Southwesterly parallel with the Southeasterly line of Fourth Avenue South for 155.00 feet more or less to the Northeasterly line of the city alley; thence Southeasterly along said alley line to its intersection with a line drawn parallel with and 145.00 feet Northwesterly of the Northwesterly line of said Fifth Avenue South, as measured along the Northeasterly line of Eighth Street South; thence Southwesterly along said line parallel with Fifth Avenue South 175.00 feet more or less to the Northeasterly line of said Eighth Street South; thence Southeasterly along the Northeasterly line of said Fifth Avenue South; thence Northeasterly along the Northwesterly line of said Fifth Avenue South to the point of beginning. Subject to and together with covenants, conditions and easements including easements for access, utilities and support as contained in Restated Reciprocal Easement Agreement, Document No. 1584947. Being registered land is evidenced by Certificate of Title No. 667423.

Downtown East Ramp; 701 4th Avenue South & 424 Chicago Avenue South: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 73; That part of the Southeasterly 6 feet of Seventh Avenue vacated, lying between extensions across said strip of land of the Southwesterly line of said Lot 1 and the Northeasterly line of said Lot 10; all in Town of Minneapolis. Being registered land as is evidenced by Certificate of Title No. 1142778.

Seven Corners Ramp; 1504 Washington Avenue South: That part of Cedar Avenue South and 2nd Street South and Lots 1, 8, 9, 10, 11 and 12, Block 3 according to the recorded plat of Hancock and Rice's Addition to Minneapolis and that part of 15th Avenue South as described in Document No. 1781696 and that part of 2nd Street South and Lots 6, 7, 8 and 9, Block 142, according to the recorded plat of Town of Minneapolis on file and of record in the Office of the County Recorder in and for Hennepin County, Minnesota described as follows: Beginning at the Southeast corner of Lot 1, Block 3, and Hancock and Rice's Addition to Minneapolis; thence West, along the South line of said Lot 1, 50.00 feet; thence North, along a line parallel with the East line of said Lot 1, a distance of 130.81 feet; thence Westerly, along a line parallel with the North line of said Block 3, a distance of 49.83 feet to its

intersection with the Southeasterly line of said Block 142; thence Southwesterly, along the Southeasterly line of said Block 142, a distance of 28.22 feet to its intersection with a line parallel with and distant 110.00 feet Southwesterly of a line parallel with and 6.50 feet Northeasterly of the Northeasterly line of said Block 142; thence Northwesterly, along said parallel line 229.40 feet to its intersection with a line parallel with and distant 35.00 feet Southeasterly of the Northwesterly line of said Lot 9, Block 142; thence Northeasterly, along said parallel line, 110.00 feet to its intersection with a line parallel with and distant 6.50 feet Northeasterly of the Northeasterly line of said Block 142; thence Southeasterly, along said parallel line 151.34 feet to its intersection with a line parallel with and distant 12.00 feet North of the North line of said Block 3; thence Easterly, along said parallel line 336.26 feet to its intersection with the Westerly right-of-way line of 19th Avenue south per document No. 4230302; thence Southerly along said Westerly right-of-way line, 126.37 to its intersection with the South line of said Lot 8; thence Westerly along the South line of Lots 8, 9, 10 and 11, said Block 3, a distance of 211.08 feet to the Northeast corner of said Lot 1, Block 3; thence Southerly, along the said East line of Lot 1, 114.25 feet to the point of beginning.

Part of the above being registered land as evidenced by Certificate of Title No. 658729. Note: The Torrens portion being more particularly described as follows:

Parcel 1: Lot 9, Block 142, Town of Minneapolis except that part of said Lot 9 lying Southeasterly of the Northwesterly 35.00 feet thereof and Southwesterly of a line drawn parallel to and distant 110.00 feet Southwesterly of a line drawn parallel to and distant 6.50 feet Northeasterly of the Northeasterly line of said Block 142.

Parcel 2: The Westerly 17.5 feet of the East ½ of Lot 8, Block 3, Hancock & Rice's Addition to Minneapolis.

Parcel 3: That part of the Northwesterly ½ of Lot 8, Block 142, Town of Minneapolis, lying Northeasterly of a line drawn parallel to and distant 110.00 feet Southwesterly of a line drawn to and 6.50 feet Northeasterly of the Northeasterly line of said Block 142.

Loring Ramp; 14 Grant Street West: That part of Lot 1, Block 6, LORING PARK DEVELOPMENT FIRST ADDITION, according to the plat on file and of record in the office of the County Recorder, Hennepin County, Minnesota, lying Southwesterly of the following described line to wit: Beginning at a point on the Easterly line of said Lot 1, distant 75.69 feet Northerly of the Southeasterly corner of said Lot 1, as measured along said Easterly line thereof, thence Northwesterly to a point in the Southwesterly line of said Lot 1, said point being 59.80 feet Southwesterly of the most Northerly corner of said Lot 1, as measured along the Northwesterly line of said Lot 1, and there terminating. Abstract Property.

Gateway Ramp; 400 3rd Street South: Tract 1: Lots 1, 2 and 8, Bovey's Subdivision of Lots 1 and 2, Block 48, Minneapolis together with all that part of the vacated alley lying between the Southwest line of Lot 8 as extended across it and the Northeast line of Lot 8 as extended across it, and the Northeasterly of the Northeast line of Lot 8 and the Northeast line of Lot 8 as extended Northwesterly to the Southeast line of Lot 3, Southeasterly of the Southeast line of Lots 2 and 3, Southwesterly of the Southwest line of Lot 1 and Northwesterly of the Southeast line of Lot 8 as extended Northeasterly to the most Southeasterly corner of Lot 1, except that part of the Northwesterly 6 feet of the adjoining vacated alley lying between the extensions across said vacated alley of the Northeasterly line of said Lot 3 and the Southwesterly line of said Lot 7, all lying within Bovey's Subdivision of Lots 1 and 2, Block 48, Minneapolis, according to the recorded plat on file or of record in the office of the County Recorder (formerly Register of Deeds) in and for Hennepin County, Minnesota. Abstract Property

Tract 2: Lots 3, 4, 5, 6 and 7, Bovey's Subdivision of Lots 1 and 2, Block 48, Minneapolis, together with that part of the Northwesterly 6 feet of the adjoining vacated alley lying between the extensions across it of the Northeasterly line of said Lot 3 and the Southwesterly line of said Lot 7. Being registered land as is evidenced by Certificate of Title No. 618066.

Tract 3: Lot 3, Block 48, Town of Minneapolis. Abstract Property

Tract 4: Lots 4 and 5, Block 48, Town of Minneapolis. Abstract Property

Tract 5: Parcel 1: That part of the Northwesterly 30.5 feet of Lot 7 lying Southwesterly of the Northeasterly 10 feet thereof and lying Northeasterly of the Southwesterly 28 feet thereof.

Parcel 2: That Southwesterly 58 feet of Lot 6, that part of the Southwesterly 28 feet of Lot 7, lying Southeasterly of the Northwesterly 45 feet thereof.

Parcel 3: That part of Lot 7 lying Southeasterly of the Northwesterly 30.5 feet of Lot 7 and lying between the Southwesterly 28 feet thereof and Northeasterly 10 feet thereof, all in Block 48, Town of Minneapolis according to the recorded plat thereof. Being registered land as is evidenced by Certificate of Title No. 717494.

Tract 6: That part of Lot 6 lying Northeasterly of the Southwesterly 58 feet thereof, except the Northeasterly 10 feet of said Lot 6, all in Block 48, Town of Minneapolis, according to the recorded plat on file or of record in the office of the County Recorder (formerly Register of Deeds) in and for Hennepin County, Minnesota. Being registered land as is evidenced by Certificate of Title No. 618067.

Tract 7: The Southwesterly 28 feet of the Northwesterly 45 feet of Lot 7 and all of Lot 8, except the Northeasterly 10 feet thereof, Block 48, Town of Minneapolis. Abstract Property

Tract 8: Lots 9 and 10, except the Northeasterly 10 feet thereof, Block 48, Town of Minneapolis. Abstract Property

Federal Courthouse Ramp; 300 4th Street South: Parcel 1: Lots 1 to 9 inclusive, Rearrangement of Part of Block 66, Minneapolis.

Parcel 2: The Northwesterly 41 feet of Lot 7, the Southeasterly 37 feet of Lot 8, Block 66, Town of Minneapolis and those parts of the vacated alley dedicated in Block 66, Town of Minneapolis, lying Northeasterly of the centerline thereof and lying between the extensions across it of the Northwesterly line of the Southeasterly 37 feet of Lot 8 and the Southeasterly line of the Northeasterly 41 feet of Lot 7; AND Lying Southwesterly of the centerline thereof and lying between the extensions across it of the Northwesterly line of Lot 9 and the Southeasterly line of Lot 1, all in Rearrangement of part of Block 66, Minneapolis, AND The vacated Northeasterly-Southwesterly alley dedicated in Rearrangement of part of Block 66, Minneapolis lying between the Northeasterly and Southwesterly lines of said plat. Being registered land as is evidenced by Certificate of Title No. 803671.

Parcel 3: All of Lots 1, 2, 3, 9 and 10 and Lot 8 except the Southeasterly 37 feet, Block 66, Town of Minneapolis together with those parts of vacated alley dedicated in Block 66 of the Town of Minneapolis lying between the extensions across it of the Northwesterly lines of Lots 1 and 10 and the Southeasterly lines of Lots 2 and 9 and the Northeasterly lines of Lots 3 and 8 and the Southerly line of Lot 3 to the centerline and the Southeasterly lines of Lot 8 except the Southeasterly 37 feet to the centerline. Abstract property.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-343, authorizing execution of a Purchase Agreement and related documents for sale of the Riverfront Municipal Parking at 220 - 9th Ave S, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-343
By Goodman, Colvin Roy and Ostrow**

Authorizing execution of a Purchase Agreement and related documents for sale of the Riverfront Municipal Parking at 220 - 9th Avenue South.

Whereas, the City owns the Riverfront Municipal Parking Ramp at 220 - 9th Avenue South; and
Whereas, the City Engineer has determined that this parcel is not needed for City purposes; and
Whereas, Guthrie Theater Foundation has offered to enter into a Purchase Agreement with the City, agreeing to pay the City \$16,500.00 for the property; and

Whereas, Alatus Partners, LLC has offered to enter into a Purchase Agreement with the City, agreeing to pay the City \$16,000,000 for the property if the Guthrie Theater Foundation does not close on the purchase of the property on or before December 31, 2007; and

Whereas, the City Assessor has reported to the City Council on the fair market value of such property; and

Whereas, the Planning Commission reviewed the sale on June 25, 2007, as to being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee and the Community Development Committee on July 10, 2007, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

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

That the proper City officers be authorized to execute a Purchase Agreement and related documents for sale of the land legally described as:

Riverfront Ramp, 220 - 9th Avenue South: That part of the following Tract of land, which lies above, but not below a horizontal plane having an elevation of 790 feet above sea level according to the National Geodetic Vertical Datum 1929 Adjustment.

Tract B, Registered Land Survey No. 1740.

Being registered land as is evidenced by Certificate of Title No. 1128873.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

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

Comm Dev & W&M/Budget - Your Committee, having under the consideration MDI Limited Partnership #64 (Metro Plains Development) proposal for the Minnehaha Apartments Project, a 37-unit mixed-income affordable housing project at 5341, 5345, 5359 Minnehaha Ave, now recommends:

a) Passage of the accompanying resolution approving the Minnehaha Avenue Apartments Redevelopment Plan; and

b) Approval of an Affordable Housing Trust Fund loan of up to \$402,000 for the project to MDI Partnership #64, or an affiliated borrower, established for the purpose of holding or owning real estate subject to the City loan, and that the proper City officers be authorized to execute necessary documents relative to said loan.

Adopted 7/20/2007.

Absent – Schiff, Colvin Roy.

Resolution 2007R-344, adopting the Minnehaha Avenue Apartments Redevelopment Plan for development at 5341, 5345, 5359 Minnehaha Ave, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-344
By Goodman and Ostrow**

Adopting the Minnehaha Avenue Apartments Redevelopment 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") 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 It has been proposed and the City has prepared, and this Council has investigated the facts with respect to a proposed Minnehaha Avenue Apartments Redevelopment Plan (the "Plan"). The Plan creates a new Redevelopment Project Area (the "Project Area") to facilitate redevelopment at 53rd and

Minnehaha Avenue through the construction of a mixed-income rental project, all pursuant to and in accordance with the Project Laws.

1.3 The City has performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood group and the Planning Commission, and the holding of a public hearing upon published and mailed notice as required by law.

1.4 The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 2. Findings for the Adoption of the Plan

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

2.2 The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise. The proposed redevelopment removes blight and blighting influences, provides decent, safe and sanitary dwellings for persons of low and moderate income, and encourages housing density near transit corridors.

2.3 The Council hereby finds, determines and declares that the Minnehaha Avenue Redevelopment Project ("Redevelopment Project") qualifies as a Redevelopment Project as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivisions 14 and 16). The Project Area qualifies as a "blighted area" as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 11).

2.4 The Council hereby finds, determines and declares that the Project Area includes a single family home, a vacant lot and a multi-purpose residential/commercial structure. Both structures are poorly maintained and found to be detrimental to the "safety, health, morals, or welfare of the community" by reason of dilapidation, obsolescence, overcrowding, faulty arrangement and lack of ventilation. The vacant parcel undermines the value of adjacent property, is an uneconomic use of the land, and is considered a blighting condition.

2.5 The Council hereby finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plan were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.6 The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise, as the proposed development makes possible rental opportunities for low and moderate income households, and is necessary to relieve the current shortage of decent, safe, and sanitary housing for persons of moderate or low income and their families in Minneapolis.

2.7 The Council hereby finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid to be sought.

2.8 The Council further finds additional public benefits will include tax base enhancement, elimination of blighting influences, and increased neighborhood livability.

2.9 The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 3. Approval of the Plan; Creation of Project Area

3.1 Based upon the findings set forth in Section 2 hereof, the Minnehaha Avenue Apartments Redevelopment Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan

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 Plan, 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.

Adopted 7/20/2007.

Absent – Schiff, Colvin Roy.

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept and appropriate a \$490,000 grant from Hennepin County to pay for the operation of a validated parking system at the Midtown Global Market, and to execute a sub-recipient, disbursement and related agreements for this grant.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$490,000 to reflect the receipt of said grant funds, and increasing the revenue budget.

Adopted 7/20/2007.

Absent – Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

(Published 7/24/2007)

RESOLUTION 2007R-345
By Goodman and Ostrow

Amending the 2007 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 Community Planning and Economic Development Agency in the Other Grants - State & Local Fund (0600-890-8933) by \$490,000 and increasing the revenue source (0600-890-3220) by \$490,000.

Adopted 7/20/2007.

Absent – Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

(Published 7/24/2007)

Comm Dev & W&M/Budget - Your Committee recommends approval of the Empowerment Zone Governance Board Executive Committee recommendation that the proper City officers be authorized to execute a contract with NorthWay Community Trust in the amount of \$125,000 for administration of the Northside Economic Opportunity Network (payable from 0300-890-8942).

Adopted 7/20/2007.

Absent – Schiff, Colvin Roy.

The HEALTH, ENERGY & ENVIRONMENT Committee submitted the following reports:

HE&E – Your Committee, having under consideration appointments to the Minneapolis Private Industry/Workforce Council, now recommends the following:

a. Concurrence with the recommendation of the Mayor to appoint the following persons to the Private Industry/Workforce Council:

Karen Gallivan, representing private sector business;

Jenny Leabo, representing organized labor;

Judi Nevonon, representing private sector business; and

Mark Tessmer, representing public employment service, fulfilling the unexpired term of Manny Garcia, all for terms commencing July 1, 2007 and ending June 30, 2009, except Mark Tessmer, who will serve the remainder of a term expiring June 30, 2008.

b. Concurrence with the recommendation of the Mayor to re-appoint the following persons to the Private Industry/Workforce Council:

Sharon Bredeson, representing private sector business;

Obie Kipper, representing vocational rehabilitation;

Harvey Rucker, representing community based organizations;

Craig Vana, representing education;

Joe Werner, representing private sector business;

Jon Westby, representing education; and

Todd Wood, representing private sector business, all for terms commencing July 1, 2007 and ending June 30, 2009.

c. That the residency requirement be waived for Karen Gallivan, Jenny Leabo, Mark Tessmer and Judi Nevonon, pursuant to Section 14.180 of the Minneapolis Code of Ordinances.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

HE&E - Your Committee recommends concurrence with the recommendation of the Mayor to appoint Clarence Jones and the recommendation of the City Council to appoint David J. Therkelsen (representing Ward 12) to the Public Health Advisory Committee for two-year terms to expire December 31, 2008.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

The HEALTH, ENERGY & ENVIRONMENT AND PUBLIC SAFETY & REGULATORY SERVICES Committees submitted the following report:

HE&E & PS&RS – Your Committee, to whom was referred an ordinance amending Title 12, Chapter 240 of the Minneapolis Code of Ordinances relating to *Housing: Lead Poisoning Prevention and Control* by adding a new Section 240.100 entitled *Lead Safe Work Practices*, requiring persons performing or supervising remedial interior paint repair in rental dwellings to be certified in lead safe work practices, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends passage of the accompanying resolution promoting lead safe work practices among Minneapolis rental property and home owners.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Ordinance 2007-Or-052 amending Title 12, Chapter 240 of the Minneapolis Code of Ordinances relating to *Housing: Lead Poisoning Prevention and Control* by adding a new Section 240.100 entitled *Lead Safe Work Practices*, requiring persons performing or supervising remedial interior paint repair in rental dwellings to be certified in lead safe work practices, was adopted 7/20/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2007-Or-052
By Gordon
Intro & 1st Reading: 6/15/2007
Ref to: HE&E & PS&RS
2nd Reading: 7/20/2007

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

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

Section 1. That Chapter 240 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 240.100 to read as follows:

240.100. Lead safe work practices. (a) On or after January 1, 2008, whenever the commissioner of health, the chief of the fire prevention bureau, the director of inspections or a proper designee thereof issues a notice of violation to the owner or other natural person as defined in section 244.1840(3) responsible for the maintenance of a rental dwelling, rooming house or lodging establishment constructed prior to January 1, 1978 ordering the remedial repair of blistered, cracked, flaked, scaled or chalked away interior surface paint the notice shall inform the recipient of the following requirements:

- (1) That a person actually performing or supervising the repair work, or the owner or other natural person as defined in section 244.1840(3) responsible for the maintenance of the premises should that person perform or actively supervise the repair work, provide proof of certification in lead safe work practices prior to or upon completion and inspection of the repair work.
- (2) That the lead safe work practices certification must consist of an executed certificate of attendance at and successful completion of a lead safe work practices training program as proposed by the Minneapolis Rental Property Advisory Committee and approved by the director of inspections. The director of inspections shall maintain and make readily available an official registry of approved lead safe work practices training programs based upon a review of the program's curriculum.
- (3) That the certification requirement imposed by this section shall not apply if:
 - a. The person actually performing or supervising the repair work, or the owner or other natural person as defined in section 244.1840(3) responsible for the maintenance of the premises should that person perform or actively supervise the repair work, is licensed in any state as a lead worker, lead supervisor, lead project designer, lead risk assessor or lead inspector, or
 - b. The owner or other natural person as defined in section 244.1840(3) responsible for the maintenance of the premises provides a report from a professional risk assessment performed by an independent risk assessor demonstrating that no paint from the area in need of repair contains lead. The report must be approved by the director of inspections or the director's designee.

(b) A violation of this section shall not be found unless no person actually performing or supervising the repair work ordered to be completed in the notice of violation possesses the lead safe work practices certification required by this section and a minimum of two (2) approved lead safe work practices training programs are offered within the seven-county metropolitan area between the date of receipt of the notice and the initial due date for compliance with the notice of violation.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-346, promoting lead safe work practices among Minneapolis rental property and home owners, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-346

By Gordon

Promoting lead safe work practices among Minneapolis rental property and home owners.

Whereas, 85% of Minneapolis residential properties were built prior to 1978 and therefore may contain lead-based paint; and

Whereas, exposure to lead dust and chips from deteriorating paint and from the utilization of unsafe practices when rehabilitating surfaces containing lead-based paint can expose children and adults to lead poisoning; and

Whereas, lead poisoning has profound and irreversible impacts on children, including lowering IQ and increasing impulsivity leading to problems learning and paying attention in school, as well as organ failure and death at very high exposure levels; and

Whereas, rental property owners and homeowners need information about how to maintain their properties in a way that does not cause lead poisoning; and

Whereas, rental property owners and homeowners are regularly notified by the Minneapolis Inspections Division of chipping and peeling paint and are issued orders to correct such conditions; and

Whereas, current City of Minneapolis regulations follow state requirements when a lead poisoning has already occurred; and

Whereas, since The City of Minneapolis' current lead safety initiative contemplates exercising only limited regulatory authority over property owners to help ensure that preventive measures are utilized when rehabilitating and repairing surfaces that contain lead paint as proposed Minneapolis Code of Ordinances § 240.100 would require lead safe work practices certification only for repairs made to interior paint surfaces in rental dwellings, more widespread voluntary adoption of lead safe work practices is needed in order to prevent lead poisonings in Minneapolis; and

Whereas, proposed Minneapolis Code of Ordinances § 240.100 requires rental property owners to provide certification that the person who completes or supervises the work to repair chipping and peeling paint in all pre-1978 rental property be certified in lead safe work practices;

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

That, the City shall actively pursue grant funding and other resources to provide lead safe work practices trainings for free or at a nominal cost to contractors, homeowners and all interested parties in addition to rental property owners and their agents;

And that, all rental property owners and home owners issued notices of violation for chipping and peeling paint may be provided the following information as part of the notice:

- (1) Information on available lead safe work practices training programs offered by providers recognized by the Director of inspections;
- (2) A regularly-updated list of local workers and firms licensed or certified in lead safe work practices;
- (3) Information on obtaining HEPA (High-Efficiency Particulate Air)-filter vacuums at discounted rates from participating community sites; and
- (4) An explanation of any available rehabilitation and grant resources to address and mitigate lead in residential properties.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

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

PS&RS - Your Committee, having under consideration the application of Busters on 28th Inc, dba Busters on 28th, 4204 28th Av S, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2008, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

(Published 7/24/2007)

PS&RS - Your Committee, having under consideration the application of Jahraus Management LLC, dba Nick and Eddie, 1612 Harmon Pl, for an On-Sale Liquor Class C-2 with Sunday Sales License (new proprietor) to expire July 1, 2008 and a Sidewalk Cafe License (new business) to expire April 1, 2008, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

(Published 7/24/2007)

PS&RS - Your Committee, having under consideration the application of MORE Inc, dba Blarney Pub & Grill, 412 14th Av SE, for an On-Sale Liquor Class C-2 with Sunday Sales License (expansion of premises) to expire April 1, 2008; a 2:00 a.m. License to be issued by the State of Minnesota; and a Sidewalk Cafe License (new business) to expire April 1, 2008, and having held a public hearing

thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Commercial Container, 3516 E Lake St, for a Solid Waste Hauler License, subject to conditions.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-347, granting the application of Commercial Container, 3516 E Lake St, for a Solid Waste Hauler License, subject to conditions, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-347

By Samuels

Granting the application of Commercial Container, 3516 E Lake St, for a Solid Waste Hauler License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Commercial Container LLC, dba Commercial Container, 3516 E Lake St, for a Solid Waste Hauler License (new business) to expire August 1, 2007, subject to the following conditions:

1. The licensee agrees not to drive any of their company's vehicles which with or without load weighs more than 6,000 pounds or is registered for a gross weight of more than 9,000 pounds down the alley as follows: in a northbound direction from the rear of the business toward 29th Street East. The company may use the alley way which travels east and west between 35th Avenue South to 36th Street South.

2. The licensee acknowledges that the only vehicles allowed to place dumpsters on City streets will be those vehicles listed on the license application.

3. The licensee will comply with all other applicable City ordinances dealing with the operation of a solid waste hauler.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Nicollet Family Dollar & Halal Meat Market, 2805 Nicollet Av, for a Grocery License, subject to conditions.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-348, granting the application of Nicollet Family Dollar & Halal Meat Market, 2805 Nicollet Av, for a Grocery License, subject to conditions, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-348

By Samuels

Granting the application of Nicollet Family Dollar & Halal Meat Market, 2805 Nicollet Av, for a Grocery License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Nicollet Family Dollar & Halal Meat Market, dba Nicollet Family Dollar & Halal Meat Market, 2805 Nicollet Av, for a Grocery License (new business) to expire April 1, 2008, subject to the following conditions:

1. The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include glass pipes (sometimes with roses inside), single hollowed-out cigars sometimes referred to as blunts, non-soap imbedded Brillo Pads or Chore Boys, and small zip lock bags, also known as jewelry bags.

2. All windows will be free of signs and other items that block the view in and out.

3. The licensee shall comply with Section 259.230 of the Minneapolis Code of Ordinances governing surveillance cameras, which states that all new business applicants for grocery stores must immediately install surveillance cameras.

4. The licensee agrees not to install pay phones in, on or attached to the premise property.

5. The licensee shall clean the premises of litter and trash daily, including the area within 100 feet of the property line and dumpster area.

6. The business agrees to post Minneapolis Police "No Trespassing" signs, available at the 5th Precinct SAFE Unit. Staff will call 911 to report loiterers refusing to leave the immediate area.

7. The licensee agrees to display a copy of these conditions alongside the business license certificate, clearly visible to customers and inspectors.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-349, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-349

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2008

Sterbs Development LLC, dba Stub & Herbs, 801 Washington Av SE (change in ownership from Stub & Herbs Inc)

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2008

Atlas Restaurants LLC, dba Atlas Restaurant, 200 S 6th St, 1st floor (change in ownership from Atlas One Corporation)

On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2008

Marisqueria El Nayarita LLC, dba Marisqueria El Nayarita, 730 E Lake St (new business)

Off-Sale Beer, to expire April 1, 2008

PV Investment & Management Inc, dba Nokomis Market, 3319 E 54th St (new business)

Temporary On-Sale Beer

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (October 14, 2007, Noon to 5:00 p.m.).

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-350, granting applications for Business Licenses, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-350
By Samuels**

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 20, 2007 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 272137):

Dancing School; Laundry; Caterers; Confectionery; Grocery; Food Manufacturer; Food Market Manufacturer; Meat Market; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Used Only; Motor Vehicle Dealer - Additional Lot; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Plumber; Public Market; Recycling/Salvage Yard; Residential Specialty Contractor; Resin Manufacturer; Solicitor - Company; Solicitor - Individual; Steam & Hot Water Systems Installer; Tattooist/Body Piercer; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone 1; Tobacco Dealer; Combined Trades; Tree Servicing; Valet Parking.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-351, granting applications for Gambling Licenses, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-351
By Samuels**

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Class B

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling Inc, 3346 Hennepin Av (Site: Waldo's, 4601 Lyndale Av N)

Gambling Lawful Exempt

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Bingo, Raffle, Paddlewheel, Pulltabs & Tipboards July 21, 2007)

Church of the Holy Cross, dba Church of the Holy Cross, 1621 University Av NE (Bingo, Raffle, Paddlewheel, Pulltabs & Tipboards September 15 & 16, 2007)

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Bingo, Raffle, Paddlewheel, Pulltabs & Tipboards September 22 & 23, 2007)

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Av S (Paddlewheel & Raffle October 7, 2007)

Students Today Leaders Forever, dba Students Today Leaders Forever, 126 Coffman, 300 Washington Av SE (Raffle October 12, 2007 at Fredrick R. Weisman Art Museum, 333 E River Rd)

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (Bingo, Raffle & Pulltabs October 14, 2007)

Sacred Heart of Jesus PNCC, dba Sacred Heart of Jesus PNCC, 420 22nd Av NE (Raffle August 11, 2007 at Parish Hall, 2114 5th Av NE).

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Wine License held by La Que Buena Restaurant, 1609 E Lake St.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-352, approving License Settlement Conference recommendations relating to the On-Sale Wine License held by La Que Buena Restaurant, 1609 E Lake St, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-352

By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Wine License held by La Que Buena Restaurant, 1609 E Lake St.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on June 21, 2007 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances by having alcohol out on tables after 2:30 a.m.; and by using the basement space for an event which was not approved for any event in conjunction with the business license;

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

That in lieu of the imposition of adverse license action, including possible license revocation, the licensee agrees to comply with the following mandatory conditions and understands that failure to do so may result in further adverse license action, inclusive of revocation, 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. The Licenses & Consumer Services Division will impose a \$2,000 sanction, of which \$1,500 will be stayed provided there are no same or similar violations until June 3, 2009, with \$500 being due at the time of signing of the Agreement.

2. The licensee will submit and implement a plan and policy for closing down alcohol service at the end of the night.

3. The licensee will operate within the confines of their licensed premises with no occupancy of the basement other than permitted use (i.e. storage).

4. The licensee will provide annual alcohol server training for staff and also provide alcohol server training for newly hired staff within 30 days of hire.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Morelos Mex Grill, 14 W 26th St.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-353, approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Morelos Mex Grill, 14 W 26th St, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-353

By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Morelos Mex Grill, 14 W 26th St.

Whereas, the Licenses & Consumer Services Division held a Licenses Settlement Conference hearing on June 14, 2007 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that on two separate occasions with a period of less than 24 months, employees of Morelos Mex Grill sold alcohol to a person under the age of 21, in violation of the Minneapolis Code of Ordinances, State Statutes, and the established compliance check policy and procedures of the City of Minneapolis;

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. the licensee pay a fine in the amount of \$3,000, with \$2,000 to be stayed until April 27, 2009, provided there are no same or similar violations, and that \$1,000 is payable upon the date of this Agreement. The stayed fine is discharged on April 28, 2009, if there are not any same or similar violations.

2. All current service staff shall undergo an annual refresher alcohol server training, that all new service staff undergo alcohol server training prior to serving alcohol, and that Morelos Mex Grill shall use the services of an alcohol serving trainer that is approved by its liquor liability insurance company, with the exception of Miles B. Canning/Present the Best.

3. That Morelos Mex Grill provide the Department of Licenses & Consumer Services with a written policy regarding the elimination of alcohol service to minors in their establishments, that such policy be approved by the Department of Licenses & Consumer Services, and that Morelos Mex Grill implement and maintain this policy.

4. That Morelos Mex Grill purchase and deploy in their Minneapolis location two devices with which to automatically scan drivers licenses and other identification cards for the purpose of determining customers' age and eligibility to purchase alcohol, and that such devices be deployed within 30 days of this Agreement.

5. The Date of the Agreement shall be defined as the date that the licensee signs or otherwise executes this Agreement.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee, having under consideration the On-Sale Liquor Class E with Sunday Sales License held by Waldo's Inc, dba Waldo's Bar and Grill, 4601 Lyndale Av N, and having held a hearing to consider whether adverse license action should be taken for violations of the Food Code; non-payment of administrative citations, failure to provide evidence of liquor liability insurance for the period September 1, 2006 to September 31, 2006; failure to provide workers' compensation insurance evidence for 2006; failure to obtain building permits; failure to provide a certified food manager; and failure to comply with license conditions, now recommends that the renewal license application for the On-Sale Liquor Class E with Sunday Sales License be denied. (Petn No 272136)

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee, having under consideration the property located at 2842 31st Av S, and a recommendation from the Nuisance Condition Process Review Panel that the Director of Inspections' Order to Demolish the building be upheld but stayed until June 7, 2007 to allow the owner to complete a detailed rehabilitation plan and enter into a restoration agreement with the Department of Inspections, now recommends that the property be sent forward without recommendation.

Samuels moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be approved". Seconded.

Adopted by unanimous consent.

Absent - Schiff, Colvin Roy.

The report, as amended, was adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS - Your Committee recommends that when Regulatory Services staff issues noise permits to the Minnesota Department of Transportation (MnDOT) or their contractors as part of the 35W/ Crosstown Construction Project, the permits should be valid for two weeks or to coincide with the time period of other municipalities' issuing permits for the project.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

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

PS&RS & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the Fire Department to accept a donation of exercise equipment.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

RESOLUTION 2007R-354

By Samuels and Ostrow

Authorizing the Fire Department to accept a donation of exercise equipment.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept a donation of exercise equipment from Life Time Fitness, Inc, valued at \$39,000, to be distributed to the Fire Stations.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS & W&M/Budget - Your Committee, having under consideration the provision of mobile health services for fire personnel during the Fire Department's annual "Health Fair", now recommends that the proper City officers be authorized to accept the low bid from Med-Compass, in the amount of \$37,075, to provide mandatory annual testing for firefighters. Further, that based on available funding, that the Fire Department staff work with the City Attorney's Office on the development of an agreement with Med-Compass for optional tests, in an amount up to \$70,000 for the first year of the agreement, with the option to renew the agreement for a second and third year.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, in the amount of \$75,000, for a Police Department consultant/planner to work with the Minnesota/Dakotas Analysis Center. Further, passage of the accompanying resolution appropriating \$75,000 to the Police Department.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

**RESOLUTION 2007R-355
By Samuels and Ostrow**

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-C007) by \$75,000 and increasing the Revenue Source (030-400-C007 - Source 3210) by \$75,000.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS & W&M/Budget - Your Committee, having under consideration a recommendation by the Civilian Review Authority Work Group and the City Council to conduct an external audit of the Police Department's Internal Affairs Unit, now recommends:

PS&RS - that the proper City officers be authorized to issue a Request for Proposals.

W&M/Budget - that the proper City officers be authorized to issue a Request for Proposals; and that up to \$75,000 be authorized from the Contingency Fund to fund the audit.

Samuels moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Public Safety & Regulatory Services Committee recommendation. Seconded.

Adopted upon a voice vote.

Absent - Schiff, Colvin Roy.

The report, as amended, was adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

PS&RS & W&M/Budget - Your Committee, having under consideration the provision of enforcement and community policing services at public housing locations, now recommends:

PS&RS - that the proper City officers be authorized to execute a contract with the Minneapolis Public Housing Authority. Further, passage of the accompanying resolution appropriating \$350,000 to the Police Department.

W&M/Budget - that the following be sent forward without recommendation:

Execution of a contract with the Minneapolis Public Housing Authority (MPHA). Further, that the Police Department be directed to negotiate a contract with the MPHA for fiscal year 2008 in which MPHA will pay the full cost of any dedicated MPHA unit, and to further negotiate a service level agreement to maximize community policing efforts by that unit and within the precincts. The Police Department is directed to report back to the Ways & Means/Budget Committee within 90 days regarding the status of the negotiations.

Samuels moved that the report be amended to approve the Public Safety & Regulatory Services Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

Absent - Schiff, Colvin Roy.

Hodges moved that the report be amended by adding the following staff direction:

"The Police Department is directed to reduce its non-personnel expenditures in fiscal year 2007 by \$350,000 to offset the loss of revenue for positions previously funded by the Minneapolis Public Housing Authority." Seconded.

Adopted upon a voice vote.

Absent - Schiff, Colvin Roy.

Ostrow moved that the report be amended by adding the following staff direction:

"That the Police Department be directed to negotiate a contract with the MPHA for fiscal year 2008 in which MPHA will pay the full cost of any dedicated MPHA unit, and to further negotiate a service level agreement to maximize community policing efforts by that unit and within the precincts. The Police Department is directed to report back to the Ways & Means/Budget Committee within 90 days regarding the status of the negotiations." Seconded.

Adopted upon a voice vote.

Absent - Schiff, Colvin Roy.

The report, as amended, was adopted 7/20/2007. Yeas, 10; Nays, 1 as follows:

Yeas - Hodges, Samuels, Gordon, Hofstede, Ostrow, Lilligren, Glidden, Remington, Benson, Goodman.

Nays - Johnson.

Absent - Schiff, Colvin Roy.

RESOLUTION 2007R-356

By Samuels

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Police Department - Special Revenue Fund (210-400-E013) by \$350,000 and increasing the Revenue Source (210-400-E013 - Source 3455) by \$350,000.

Adopted 7/20/2007. Yeas, 10; Nays, 1 as follows:

Yeas - Hodges, Samuels, Gordon, Hofstede, Ostrow, Lilligren, Glidden, Remington, Benson, Goodman.

Nays - Johnson.

Absent - Schiff, Colvin Roy.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a three-year contract with the Minneapolis Police Chaplain Corps to provide chaplaincy support to the Police Department. Further, that the contract contain an option to renew for an additional three-year term, in accordance with the terms of the City contract for these services.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration an application for a large block event permit for the Ventura Village Multi-Cultural Art Fair, to be held August 18th and 19th, 2007, now recommends approval of the application as set forth in Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW - Your Committee recommends that the proper City officers be authorized to negotiate and enter into a five-year Memorandum of Understanding with Hennepin County to reestablish section corner survey monuments within the City limits.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW - Your Committee, having reviewed the need to acquire a permanent easement for the construction of the Northeast Diagonal Trail Project, now recommends that the proper City officers be authorized to execute the required documents for the acceptance of a permanent trail easement from ERP Stinson Associates, LLC, as set forth in Petn No 272143 on file in the office of the City Clerk.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

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

T&PW & W&M/Budget - Your Committee, having under consideration the Lynnhurst (Phase III) Street Renovation Project, Special Improvement of Existing Street No 5182, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments in the amount of \$128,674.26 for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$128,670, with the bonds to be paid for from special assessments.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

(Published 7/24/2007)

Resolution 2007R-357, ordering the work to proceed and adopting the special assessments for the Lynnhurst (Phase III) Street Renovation Project, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-357
By Colvin Roy and Ostrow**

**LYNNHURST (PHASE III) STREET RENOVATON PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5182**

Ordering the work to proceed and adopting the special assessments for the Lynnhurst (Phase III) Street Renovation Project.

Whereas, a public hearing was held on July 10, 2007, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2007R-290, passed June 15, 2007 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 2007R-290, passed June 15, 2007.

Be It Further Resolved that the proposed special assessments in the total amount of \$128,674.26 for the Lynnhurst (Phase III) Street Renovation Project, 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 for the Lynnhurst (Phase III) Street Renovation Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at ten (10) and that interest be charged at the same rate as the assessments bonds are sold for, with collection to begin on the 2008 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2008 real estate tax statements.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

Resolution 2007R-358, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$128,670 for the purpose of paying the assessed cost of street improvements in the Lynnhurst (Phase III) Street Renovation Project, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-358
By Colvin Roy and Ostrow**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$128,670 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lynnhurst (Phase III) Street Renovation Project, Special Improvement of Existing Street No 5182, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

T&PW & W&M/Budget - Your Committee, having under consideration the Mid-City Street Reconstruction Project, Special Improvement of Existing Street No 2919, (Cleveland Street between Summer Street NE and Broadway Avenue and the intersections of Summer St NE and Kennedy St NE with the Stinson Blvd Frontage Rd) and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments in the amount of \$211,513.50;

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$211,510; and

c) Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the paving project.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-359, ordering the work to proceed and adopting the special assessments for the Mid-City Street Reconstruction Project, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-359
By Colvin Roy and Ostrow**

**MID-CITY STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2919**

Ordering the work to proceed and adopting the special assessments for the Mid-City Street Reconstruction Project.

Whereas, a public hearing was held on July 10, 2007, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2007R-261, passed May 25, 2007 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 2007R-261, passed May 25, 2007.

Be It Further Resolved that the proposed special assessments in the total amount of \$211,513.50 for the Mid-City Street Reconstruction Project, 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 for the Mid-City Street Reconstruction Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as the assessment bonds are sold for, with collection to begin on the 2008 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of special assessments on the 2008 real estate tax statements.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-360, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$211,510 for the purpose of paying the assessed cost of street improvements in the Mid-City Street Reconstruction Project, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

JULY 20, 2007

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

**RESOLUTION 2007R-360
By Colvin Roy and Ostrow**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$211,510 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Mid-City Street Reconstruction Project, Special Improvement of Existing Street No 2919, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Resolution 2007R-361, ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the Mid-City Street Reconstruction Project, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-361
By Colvin Roy and Ostrow**

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the Mid-City Street Reconstruction Project area.

Whereas, the City of Minneapolis has scheduled the street improvements starting in 2007 in the Mid-City area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on July 10, 2007 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances, to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along the Mid-City Street Reconstruction Project area (both sides) described as Cleveland St between Summer St NE and Broadway Av, and the intersections of Summer St NE and Kennedy St NE approximately 80 feet west of the Stinson Blvd Frontage Road right-of-way.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept funds in the amount of \$7,500 from Canadian Pacific Railway to be used for the closing of the at-grade railroad crossing on Benjamin St NE.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the project by \$7,500.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

**RESOLUTION 2007R-362
By Colvin Roy and Ostrow**

Amending the 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9372) by \$7,500 and increasing the revenue source (4100-937-9372 - Source 3225) by \$7,500.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Sub-Grant Agreement and accept grant funds up to a maximum of \$38,000 from the Shingle Creek Watershed Management Commission to allow Public Works to adopt strategies to help reduce chloride in Shingle Creek by upgrading salt spreader units to "spread smart" technology.

Your Committee further recommends passage of the accompanying resolution increasing the Fleet Service Fund appropriation by \$38,000.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

**RESOLUTION 2007R-363
By Colvin Roy and Ostrow**

Amending the 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Equipment Div-Capital Agency in the Fleet Services Fund (6100-927-9275) by \$38,000, increasing the revenue estimate in the Transfer Agency in the Fleet Services Fund-Transfer from Grants Other Fund (6100-127-1270 - Source 3826) by \$38,000, increasing the revenue estimate for the PW-Equipment Div-Capital Agency in the Grants-Other Fund (0600-927-9275- Source 3225) by \$38,000, and increasing the appropriation in the Transfer Agency from the Grants Other Fund (0600-127-1270- Object 9061) by \$38,000.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a grant in the amount of \$2,500 from Keep America Beautiful for a Cigarette Litter Prevention Program.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to the Clean City Cost Center by \$2,500.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

**RESOLUTION 2007R-364
By Colvin Roy and Ostrow**

Amending the 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Solid Waste Agency in the Solid Waste-Enterprise Fund (7700-664-6671) by \$2,500 and increasing the revenue source (7700-664-6671 - Source 3755) by \$2,500.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit an application for federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) New Freedom funds passed through the state to be used for the installation and evaluation of accessible pedestrian signals.

Your Committee further recommends that staff return to the Transportation and Public Works Committee on August 7, 2007, with an outline of the application.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 6823 from LBP Mechanical, Inc., in the amount of \$111,000, to furnish all labor, materials, equipment, and incidentals necessary for cast iron drain pipe.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petn No 272144)

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

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

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

Resolution 2007R-365, authorizing settlement of the legal claims of Keith Douglas King, Carolyn Rose Thomas, Hector Lopez-Martinez, Aminia Birimbir, and Wence Ledell Edwards, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-365

By Ostrow

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlements of:

a) Keith Douglas King v. Christopher George Mely and the City of Minneapolis, by payment of \$12,000, payable to Keith Douglas King and his attorneys, Paige J. Donnelly, Ltd.; payable from the Self Insurance Fund (6900-150-1500-6660);

b) Carolyn Rose Thomas v. the City of Minneapolis, by payment of \$13,000, payable to Carolyn Rose Thomas and her attorney, R. Donald Hawkinson; payable from the Self Insurance Fund (6900-150-1500-4000).

c) Hector Lopez-Martinez v. City of Minneapolis, by payment of \$26,000, payable to Hector Lopez-Martinez and his attorney, Paul J. Phelps; payable from the Self Insurance Fund (6900-150-1500-4000);

d) Aminia Birimbir, by payment of \$15,000, payable to Aminia Birimbir and her attorney, Michael J. Riehm, Esq.; payable from the Self Insurance Fund (6900-150-1500-4000);

e) Wence Ledell Edwards v. City of Minneapolis, by payment of \$4,500, payable to Wence Ledell Edwards and his attorney, John M. Gearin; payable from the Self Insurance Fund (6900-150-1500-4000).

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

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney, as set forth in Petn No 272146 for reimbursement of legal fees, by payment of \$3,949.70 to Frederic Bruno and Associates for the legal services provided to Officers Jason King and Lawrence Loonsfoot.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney, that the proper City officers be authorized to enter into a three-year legal services agreement with the following firms to provide bond counsel services to the City, at a cost for each agreement not to exceed \$300,000:

Kennedy & Graven Law Firm;

Gray, Plant Mooty Law Firm.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the USI Wireless Contract C-23781 by \$596,658 for network services, connectivity and related equipment between two facilities over three years. Project funded out of existing appropriations under (6400-880-8892).

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the Unisys Managed Services Contract C-18881 by \$78,096.50 for an increase in scope to implement and provide disk storage and maintenance for the PeopleSoft Enterprise Learning Management (ELM) module.

Your Committee further recommends passage of the accompanying resolution appropriating \$78,096 to Business Information Services Agency.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

RESOLUTION 2007R-366

By Ostrow

Amending The 2007 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 Business Information Services Agency in the Info Tech - Internal Service Fund (6400-880-8870 880F6328) by \$78,096 and increasing the Revenue Source (6400-880-8870 - Source 3455) by \$78,096.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #6802 from Toshiba Business Solutions for an estimated annual expenditure of \$225,000 to furnish and deliver multifunctional digital copiers to various City departments and boards as directed by BIS Department.

Further, that the proper City officers be authorized and directed to execute a contract for said services all in accordance with City specifications and contingent on approval of the Civil Rights Department.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends approval of the August 2007 utility billing insert on behalf of the Public Works Department, Solid Waste Division offering "Recycling Tips" to Minneapolis residents.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the acceptance of a donation of 1,360 compact fluorescent light bulbs from Xcel Energy, valued at \$3,400.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

RESOLUTION 2007R-367

By Ostrow

Authorizing the acceptance of a donation of 1,360 compact fluorescent light bulbs from Xcel Energy.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept a donation of 1,360 compact fluorescent light bulbs from Xcel Energy, valued at \$3,400.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends approval of the following eight charitable campaign federations to participate in the 2007 City of Minneapolis Charitable Campaign.

- a) Community Solutions Fund;
- b) Community Health Charities;
- c) Hennepin History Museum;
- d) Open Your Heart to the Hungry and Homeless;
- e) United Negro College Fund;
- f) United Arts;
- g) Minnesota Environmental Fund; and
- h) United Way of Minneapolis Area.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee, having under consideration the "Delisi" Building, located at 2119 West Broadway, now recommends approval of the Empowerment Zone Governance Board Executive Committee recommendation, authorizing \$300,000 from the federal Empowerment Zone grant funds to KMOJ Radio/Center for Communication and Development for the redevelopment of said building.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Director, Minneapolis Fire Department Finance and Logistics, (grade 13 with 588 points), effective July 11, 2007.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed position.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

Ordinance 2007-Or-053 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, approving the appointed position of Director, Minneapolis Fire Department Finance and Logistics, was adopted 7/20/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2007-Or-053
By Ostrow
1st & 2nd Readings: 7/20/2007

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

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

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

Appointed Officials (CAP)
Effective: JULY 11, 2007

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Director, Minneapolis Fire Department (MFD) Finance and Logistics	588	13	A	\$82,710	\$87,063	\$89,675	\$91,416

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for the Financial Services Consultant Panel; pursuant to Permanent Review Committee (PRC) approval.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

W&M/Budget - Your Committee, having under consideration the City of Minneapolis Compensation Philosophy, now recommends the following:

a) Adoption of the Compensation Philosophy, as set forth in Petn No 272152 on file in the Office of the City Clerk.

b) Passage of the accompanying resolution rescinding Resolution 2003R-013 entitled "Establishing a position on future wage increases for City employees", passed January 17, 2003.

c) Authorize the replacing of the current wage policy for fiscal year 2008 and beyond with the guiding principles of the Compensation Philosophy.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy, Goodman.

JULY 20, 2007

RESOLUTION 2007R-368

By Ostrow

Rescinding Resolution 2003R-013 entitled "Establishing a position on future wage increases for City employees", passed January 17, 2003.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled resolution be and is hereby rescinded.
Adopted 7/20/2007.
Absent - Schiff, Colvin Roy, Goodman.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Thomas and Anna Marie Erbes from the decision of the Board of Adjustment which denied the following applications: a) variance to increase the height of the building wall of an accessory structure from 10 feet to 14.5 feet; b) variance to increase the height of an accessory structure from 12 feet to 16 feet; and c) variance to increase the floor area of an accessory structure from 675 square feet to 711 square feet, all to allow for a 2-story detached garage at 4737 Blaisdell Ave, now recommends that said appeal be granted and the applications approved based on the following Committee findings: 1. The applicant has demonstrated hardship created by the sewer system; 2. Grading changes for the property have been recommended by City Engineering staff; 3. Flooding in the area has not been created by the owner; and 4. The structure will not change the essential character of the Tangletown locality.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Z&P - Your Committee, having under consideration the appeal filed by T-Mobile from the decision of the Heritage Preservation Commission conditionally approving an application for Certificate of Appropriateness (COA) to allow the construction of a cellular installation on the roof of the Andrews House Apartment building's 3-story contemporary addition at 414 7th Ave SE, now recommends that said appeal be denied and the decision of the Heritage Preservation Commission be upheld, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Remington moved that the report be postponed. Seconded.

Adopted upon a voice vote 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Brakins Homes Inc to vacate drainage and utility easements (#1522, in the vicinity of 908-920 Washburn Ave N), subject to retention of easement rights by Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said easements.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Resolution 2007R-369, vacating the drainage and utility easements as platted between Lots 1 and 2, and Lots 3 and 4, Block 1, Bassett Creek Woods Addition to Minneapolis; excepting the east and west 10 feet thereof, subject to retention of easement rights by Xcel Energy (#1522, in the vicinity of 908-920 Washburn Ave N), was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-369

By Schiff

Vacating the drainage and utility easements as platted between Lots 1 and 2, and Lots 3 and 4, Block 1, Bassett Creek Woods Addition to Minneapolis; excepting the east and west 10 feet thereof. (#1522, in the vicinity of 908-920 Washburn Ave N).

Resolved by The City Council of The City of Minneapolis:

That all that part of the platted Drainage & Utility Easements located between Lots 1 and 2, Block 1, Bassett Creek Woods Addition to Minneapolis; excepting the east and west 10 feet thereof; and, that part of the platted Drainage & Utility Easements located between Lots 3 and 4, Block 1, Bassett Creek Woods Addition to Minneapolis; excepting the east and west 10 feet thereof; all according to the plat of record at the Hennepin County Records Office, Minneapolis, Minnesota, are hereby vacated except that such vacations shall not affect the existing easement right and authority of Xcel Energy, its successors and assigns, to enter upon that portion of the aforescribed easement which is described in regard to each of said corporations as follows, to wit:

As to Xcel: The east 55 feet of the drainage and utility easements to be vacated, to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easements upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of SMJ Investments LLC (BZZ-3558) to rezone the property at 2607 Lyndale Ave S from OR1 to the C1 District to permit construction of the 2601 Lyndale Ave Condominiums, a mixed-use building with commercial space on the first floor and 15 dwelling units above, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Ordinance 2007-Or-054 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2607 Lyndale Ave S to the C1 District, was adopted 7/20/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2007-Or-054

By Schiff

1st & 2nd Readings: 7/20/2007

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

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

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

That part of Lot 25, Block 2, Hoblitt's Addition to Minneapolis (2607 Lyndale Ave S - Plate 24) to the C1 District.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Salle McDaniel (BZZ-3525) to rezone the property at 3050 18th Ave S from R2B to the R4 District, to add a proposed sixth unit to an existing 5-unit multiple-family dwelling, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Ordinance 2007-Or-055 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 3050 18th Ave S to the R4 District, was adopted 7/20/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2007-Or-055
By Schiff
1st & 2nd Readings: 7/20/2007

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

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

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

That part of Lots 7 & 8, Block 2, Goodrich Park Addition to Minneapolis, Hennepin County, Minnesota (3050 18th Ave S - Plate 26) to the R4 District.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

MOTIONS

Johnson, on behalf of Ostrow, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of August, 2007 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Ostrow introduced the subject matter of an ordinance amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Lawful Gambling, which was given its first reading and referred to the Public Safety and Regulatory Services Committee (amending Sections 268.40 and 268.80 allowing bar bingo as lawful gambling and modifying regulations related to lawful gambling at on-sale establishments).

Benson introduced the subject matter of an ordinance amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to Administration: Ethics in Government, which was given its first reading and referred to the Ways & Means/Budget Committee (amending Sections 15.40 relating to conflicts of interest; 15.50 relating to gifts; 15.60 relating to outside employment; 15.80 relating to statements of economic interest; 15.140 relating to required reporting; 15.210 relating to the Ethical Practices Board; 15.230 relating to violations; and 15.280 relating to definitions).

Johnson, on behalf of Lilligren, moved to grant the application submitted by Stevens Square Community Organization, dba Stevens Square Farmers Market, 1920 4th Av S, for a Public Market License (new business) to expire April 1, 2008, subject to final inspection and compliance with all provisions of applicable codes and ordinances. Seconded.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Lilligren moved to suspend City Council Rule 4 requiring a Committee of the Whole recommendation to be presented to the Council at its meeting in the next Council cycle so as to consider a Resolution declaring July 18-27, 2008 as the Minneapolis Sesquicentennial Celebration. Seconded.

Adopted by unanimous consent 7/20/2007.

Absent - Schiff, Colvin Roy.

(Published 7/24/2007)

Glidden introduced the subject matter of an ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to Administration, by adding a new Chapter 39, which was given its first reading and referred to the Health, Energy & Environment Committee (re protection of displaced workers).

Samuels introduced the subject matter of an ordinance amending Appendix J of the Minneapolis Code of Ordinances relating to License Fees Schedule, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (increasing license fees to account for inflationary increases incurred from 2006 to 2007).

RESOLUTIONS

Resolution 2007R-370, declaring July 18 to July 27, 2008 as the Minneapolis Sesquicentennial Celebration, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

(Published 7/24/2007)

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

RESOLUTION 2007R-370

By Johnson

Declaring July 18 to July 27, 2008 as the Minneapolis Sesquicentennial Celebration.

Whereas, the Town of Minneapolis was incorporated in 1858 and the first Council meeting of the town was held on July 20, 1858; and

Whereas, we wish to celebrate our past, present, and future as a city built around water; and

Whereas, the Minnesota State Sesquicentennial celebration will be in 2008; and

Whereas, we wish to join the State and others in celebrating the significance of 1858; and

Whereas, the Minneapolis Aquatennial is the "Official Civic Celebration of Minneapolis"; and

Whereas, we wish to partner with the Minneapolis Aquatennial to jointly celebrate Minneapolis; and

JULY 20, 2007

Whereas, the City Coordinator's Department will work with the City Clerk, Communications, Community Planning and Economic Development, and Public Works departments to plan celebratory events;

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

That the City Council does hereby declare July 18 to July 27, 2008 as the Minneapolis Sesquicentennial Celebration.

Be It Further Resolved that City staff be authorized to work with Minneapolis Aquatennial staff to coordinate events.

Adopted 7/20/2007.

Absent - Schiff, Colvin Roy.

Approved by Mayor Rybak 7/20/2007.

Resolution 2007R-371, honoring Elizabeth Spensley for 29 years, 3 months and 5 days of outstanding service as a member of the Minneapolis City Clerk's Office, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-371

By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring Elizabeth Spensley for 29 years, 3 months and 5 days of outstanding service as a member of the Minneapolis City Clerk's Office.

Whereas, Becky Spensley served as an integral member of the Minneapolis City Clerk's Office since being hired by Indexing Manager Yvonne Vanderboom and City Clerk Lyall Schwarzkopf, as a Clerk Typist I on February 27, 1978 at \$3.21 per hour; and

Whereas, Becky Spensley obtained a third year rate of pay on her first anniversary, February 27, 1979, due to a Council action recognizing the increased requirements of the computerized indexing performed; and

Whereas, Becky Spensley accepted a detail to a Clerk Typist II on June 16, 1980, authorized by Assistant City Clerk Lyle Lund; and

Whereas, Becky Spensley received an upgrade in her title to a Clerk Typist II on August 12, 1980, under the working title of Council Documents Indexer; and

Whereas, Becky Spensley continued to take on the additional responsibilities that came about with automation and was reclassified to Supervisor, Council Documents Indexing on February 11, 1988, by City Clerk Merry Keefe; and

Whereas, Becky Spensley, still having problems working within a job title, was yet again recognized for her value-added services to the City of Minneapolis by receiving a reclassification to Records Management Specialist, effective July 10, 1994; and

Whereas, Becky Spensley provided research for many other retiree resolutions concerning the number of Mayors and Council Members the retiree served, the City Clerk is pleased to report that Becky Spensley served 4 Mayors and 51 Council Members; and

Whereas, Becky Spensley supported and devoted much time to the Minnesota Clerk's and Finance Officer's Association (MCFOA) and is a certified Minnesota Municipal Clerk, and has also participated in the activities of the International Institute of Municipal Clerks (IIMC); and

Whereas, Becky Spensley is the queen of multi-tasking, full of energy and enthusiasm, and always served in a unique position, blending her skills indexing City Council actions and managing the codification process for all Council ordinances while also directing all Clerk and Council technology projects; and

Whereas, Becky Spensley adapted and evolved with the changing times, shifting from hieroglyphics scribed on cave walls to shorthand and a manual typewriter and perhaps an eraser - to now being known

as the computer guru of the Clerk's office who could fix any situation encountered by the City Clerk and City Council; and

Whereas, Becky Spensley witnessed the technological growth of the City and educated herself with each new innovation. She then, gracefully and calmly, brought the rest of us along with her; and

Whereas, Becky Spensley redefined diplomatic relations with BIS, and will always be remembered for firmly telling BIS, "It's Council day and this needs to be fixed NOW"; and

Whereas, Becky Spensley had the astonishing ability to walk into a room, and in a very short time, meet and make friends with everyone. She has the most genuine and constant smile of anyone, and a deep sense of compassion, concern and love for people that moved her to reach out to others to help others in need; and

Whereas, Becky Spensley always made us laugh, and was never afraid to laugh at herself; and

Whereas, Becky Spensley gave 60,952 hours to the City of Minneapolis before retiring June 2, 2007, and now has more on her plate than anyone we've ever known;

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

That we commend Becky Spensley for her tireless attentiveness to the management of information for the City of Minneapolis, and for her unconditional devotion to her family.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Resolution 2007R-372, extending greetings to our sister city of Ibaraki, Japan, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-372

By Johnson, Ostrow, Gordon, Hofstede, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Extending greetings to our sister city of Ibaraki, Japan.

Whereas, the City of Minneapolis has had a sister city relationship with Ibaraki, Japan for over 25 years; and

Whereas, there have been many different exchanges between our cities during this time; and

Whereas, these exchanges promote cultural understanding and cooperation among the citizens of Ibaraki and the citizens of Minneapolis; and

Whereas, our sister city relationship has been instrumental in increasing local awareness of the global nature of Minneapolis's activities and how we connect with the global community; and

Whereas, Ibaraki, Japan and Minneapolis, Minnesota share a common interest in the promotion of business and research opportunities in lifesciences and bioscience initiatives, that are of great benefit to the world community, as well as economic development activities of both cities; and

Whereas, Ibaraki, Japan and Minneapolis, Minnesota share a love of baseball, and the common interests of the health and well being of our children; and

Whereas, the City of Ibaraki, Japan has graciously extended an invitation to send a Minneapolis youth baseball team to re-establish our youth baseball exchange, first begun in 1985 with a visit from an Ibaraki youth baseball team; and

Whereas, a team from the Minneapolis Youth Baseball Association, the Minneapolis Millers, will be traveling to Ibaraki, Japan this August to respond to this invitation;

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

That we extend our warmest greetings to our sister city of Ibaraki, Japan, and that we thank them for the opportunity to further strengthen our ties of cooperation and international friendship with them.

JULY 20, 2007

Be It Further Resolved that the City of Minneapolis enthusiastically looks forward to new opportunities for the next twenty five years of our sister city relationship with Ibaraki, Japan.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Resolution 2007R-373, to assist employees affected by the potential sale of City Municipal Parking Ramps, was adopted 7/20/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2007R-373
By Johnson and Goodman**

To assist employees affected by the potential sale of City Municipal Parking Ramps.

Whereas the City of Minneapolis is preparing to sell eight of twenty-three City-owned parking ramps in order to bring in revenue from the sales to pay down debt and improve the cash position of the City's Parking Fund; and

Whereas the sale of the parking ramps will spur associated development projects that will generate significant public benefits in the form of housing, commercial/retail uses, jobs, and tax base for the City; and

Whereas parking ramps, whether owned by the City or the private sector, are moving towards increased automation; and

Whereas the Minneapolis City Council and Mayor have concerns about the impact that the pending sale of City-owned ramps would have on the current employees; and

Whereas Alatus Partners, who is proposing to purchase 6 of the 8 City-owned ramps, stated in a letter to Council President Johnson dated July 19, 2007, agrees to "establish a schedule, hold a job fair, and establish a target for retained employees of Ampco after the job fair determines the level of open jobs and applications" and further agrees to "communicate that target" to the City "in writing by September 30, 2007"; and

Whereas St. Anthony Ramp LLC, who is proposing to purchase the St. Anthony Ramp, communicated in a letter to Council President Johnson dated July 19, 2007, "full agreement to support the process of working to retain present staffing," and stated that they "will participate in the 'job fair' and the complete process;" and

Whereas the City of Minneapolis Employment and Training Program (METP) receives and administers funds from federal and state sources to provide employment and training services to both Adult and Dislocated Workers; and

Whereas METP uses this government funding to leverage additional dollars from other sources to create programs such as Close-the-Gap that successfully closed the unemployment rate gap between Minneapolis and the surrounding metro area;

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

That the Minneapolis City Council encourages the purchasers to work with Council President Johnson and Union representatives to discuss possible retention strategies for existing workers.

Be It Further Resolved that for workers not offered jobs by the purchasers, that the Minneapolis City Council directs CPED's METP staff to make themselves available to meet with all laid off employees either prior to or within two weeks of notice of separation from AMPCO System Parking to inform them about METP's Adult and Dislocated Worker programs and to determine eligibility for one or both of these programs.

Be It Further Resolved that with a signed consent from those individuals willing to share their private data and within the limits of the Data Practices Act, that the Minneapolis City Council directs METP

JULY 20, 2007

staff to track and report outcomes about this employee group through the Health, Energy and Environment Policy Committee.

Adopted 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

UNFINISHED BUSINESS

Lundstrum Center for the Performing Arts (1617 N 2nd St): Passage of Resolution giving preliminary and final approval to issue refunding bonds; Refer to Mpls Community Development Agency Board (Postponed 6/29/2007).

Goodman moved to postpone. Seconded.

Adopted upon a voice vote 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Benson moved to adjourn. Seconded.

Adopted upon a voice vote 7/20/2007.

Absent - Ostrow, Schiff, Lilligren, Colvin Roy.

Merry Keefe,
City Clerk.

Unofficial Posting: 7/23/2007
Official Posting: 7/27/2007
Corrections: 8/17/2007